CLASS ENVIRONMENTAL ASSESSMENT PROCESS
FOR
MANAGEMENT BOARD SECRETARIAT (MBS)

Prepared For

ONTARIO REALTY CORPORATION
(ORC)

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EXECUTIVE SUMMARY

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1.0 INTRODUCTION

The *Environmental Assessment Act* (*EA Act*) provides for the "protection, conservation, and wise management" of the environment in Ontario. Part II.1 of the *EA Act* sets out requirements for the approval of Class Environmental Assessments (Class EAs). An approved Class EA permits a group of projects (undertakings) in the defined class to proceed without the need for an assessment under Part II of the *EA Act*, provided they proceed in accordance with the Class EA.

This Management Board Secretariat (MBS) Class EA sets out how the MBS proposes to meet *EA Act* requirements. The Ontario Minister of the Environment (the Minister) has approved this MBS Class EA pursuant to section 9(1) of the *EA Act*.

1.1 Reasons for Using a Class Environmental Assessment

The MBS Class EA is a planning tool. It is designed to make sure that, in all its realty undertakings, MBS consistently takes into account the potential effect of its activities on the environment. Here the word "environment" has the meaning given in the *EA Act*. It includes the natural, social, cultural, economic and built environments, and their interaction. The main goals of the Class EA are:

- to match the potential environmental effect of an undertaking with the appropriate level of environmental assessment;
- to support and promote the Ontario Government's policies and objectives, particularly those concerning protection of the environment;
- to resolve questions regarding MBS's role (Section 9.7 provides information on Proponency); and
- to ensure that proper consultation and documentation have been completed, demonstrating that environmental concerns have been addressed.

The Minister of the Environment (MOE) approves the planning process and associated provisions outlined in the Class EA (i.e., approves the Class EA with respect to a class of undertakings). Provided MBS follows the approved procedures set out in this document, MBS is not required to apply for additional approval under the *EA Act*. However, an undertaking is only approved under the *EA Act* if it is carried out in accordance with the provisions of the Class EA.

1.2 Relationship between Management Board Secretariat and Ontario Realty Corporation

MBS, in support of Management Board of Cabinet, is responsible for the effective and accountable management of government resources - people, money, information, technology and real estate. Operating much like a corporate office of a large company, MBS creates the policies, processes and standards of operation that Ministries and agencies use across the Ontario Public Service.

The Ontario Realty Corporation (ORC) is an Agency of the MBS reporting to the Chair of Management Board of Cabinet. ORC manages Ontario government real estate, accommodation and construction projects.

The proponent for this Class EA is MBS. The ORC, as agent for MBS, is responsible for proceeding with the undertakings to which the Class EA applies. As such, ORC is the proponent of the undertakings which are subject to the Class EA - ORC is subject to the provisions of the MBS Class EA and all conditions of approval for the Class EA.

1.3 The Proponent: Management Board Secretariat

MBS is the proponent for this Class EA (Section 9.7 provides further information on Proponency). MBS's mandate is to support ministries and agencies of the Ontario Government in their daily activities. MBS's responsibilities include:

- management of the Ontario Government's real property (buildings and land;
- design and construction;
- provision of supplies and services;
- purchasing; and
- administration of employee benefits.

Clients include all provincial ministries, various government agencies, boards, and commissions, and provincial public employees, currently employed or retired.

ORC manages Ontario government real estate, accommodation and construction projects on behalf of MBS. The ORC must ensure that these activities are done following the Ontario government's policies, objectives and programs. Relative to its real estate and accommodation role, ORC is responsible for the sale of provincial land not required for ministerial program needs and the administration and sale of mortgages under various provincial housing programs.

ORC undertakings respond to the mandate and program needs of other ministries and agencies, or to a specific need of the Ontario Government. Providing accommodation for Ontario Government ministries encompasses the majority of ORC's budget and staff.

ORC undertakings, whether they are delivered by ORC staff or through the use of contracted services, are subject to the Class EA. Individuals or agencies which provide services to ORC through Alternative Service Delivery mechanisms are also subject to this Class EA. Section 9.7 provides further details regarding the use of this Class EA by Alternative Service Delivery Providers.

1.3.1 What is a Facility Group?

This Class EA organizes the real property into "groups." These "Facility Groups" are listed below.

1. Land;
2. Administrative Facilities;
3. Storage Facilities;
4. Custodial Facilities;
5. Transportation Facilities;
6. Research Facilities;
7. Utility Development;
8. Infrastructure Development;
9. Heritage Properties; and
10. Waste Facilities and Contaminated Properties.

Each of these 10 groups are divided into "subgroups" of individual facility types. Appendix 1 has a complete list of groups, and subgroups of facilities.

Facility groups are not mutually exclusive. For example, any one of the properties in facility groups 1 to 8 and 10 could also be a heritage property (i.e., facility group 9).

1.3.2 What is an Undertaking?

An undertaking is an enterprise or activity or proposal, plan or program in respect of an enterprise or activity that is subject to the *EA Act*, as defined in section 1 of the *EA Act*. "Undertakings" may include property acquisition, planning, design, leasing, letting, maintenance, repair, addition, construction, demolition, marketing and sale.

In this Class EA, all activities within an undertaking (e.g., "construction" as an undertaking can include many discrete activities such as property acquisition (buying or leasing), planning work, design, demolition, building, etc.) are included in the definition of an undertaking.

1.3.3 Undertakings are Not Divisible

When an undertaking is subjected to an EA, the entire undertaking must be assessed at one time. To ensure that undertakings are not broken down inappropriately, the following requirements apply:

1. All foreseeable interdependent actions of an undertaking must be assessed at the same time. Therefore, even though undertakings may be broken down into individual activities, they are all subjected to EA.

2. If an undertaking consists of several activities that have different EA Categories, all activities within the undertaking must be assessed at the highest EA Category applicable to the individual activities. Section 1.3.4 provides further details on EA Categories.

1.3.4 Matching the Undertaking with the Environmental Assessment Level

MBS has a diverse range of responsibilities and undertakings. Not all undertakings require the same level of EA. For example, doing an appraisal, maintaining an existing property, constructing a new building, or selling properties, all have potentially different environmental effects. To accommodate the entire range of MBS undertakings, this Class EA defines four different levels or "categories" of EA. A definition of the four EA categories, each of which recognize potentially different environmental effects, is provided below. In addition, a detailed description of each category, including the methodology to be followed, is provided in Sections 3.0 to 6.0.

- Category A is applied to undertakings that are minor in scale and have minimal or no adverse environmental effects and requires no EA of the undertaking.

- Category B (Consultation and Documentation Report) is a screening process applied to undertakings that have some potential for adverse environmental effects. These effects are well understood from a technical perspective and are minor in nature.

- Category C (Environmental Study Report) is a comprehensive EA process that is applied to undertakings that have the potential for significant environmental effects and must proceed under the full planning and documentation procedures. The environmental effects will be assessed, and mitigation, monitoring and public consultation documented in a detailed Environmental Study Report.

- Category D Environmental Assessment (Individual EA) is applied to those undertakings that have the potential for significant and undetermined environmental effects . Although the Class EA is used to identify the need for Individual EA, the process for carrying out an Individual EA is beyond the scope of this document.

1.4 Structure of the Class EA

This Class EA is organized in the following sections:

- Section 1.0 provides an introduction to the document and describes the reasons for using a Class EA, the relationship between MBS and ORC and the proponent;
- Section 2.0 outlines the Class EA methodology, including the EA Category selection process;
- Section 3.0 outlines the process for Category A undertakings;
- Section 4.0 outlines the process for Category B undertakings;
- Section 5.0 outlines the process for Category C undertakings;
- Section 6.0 outlines the process for Category D undertakings;
- Section 7.0 addresses mitigation and monitoring, including a list of typical guidelines and references that may be useful for a proponent;
- Section 8.0 provides information on public consultation; and
- Section 9.0 describes regulatory requirements and procedures applicable to the Class EA.

In addition, the following appendices provide further detailed information:

- Appendix 1 - Detailed Description of Facility Groups and Subgroups;
- Appendix 2 - Screening Procedure to Determine Environmental Assessment Category;
- Appendix 3 - ORC Consultation and Documentation Report;
- Appendix 4 - Sample Notification Forms and Announcements;
- Appendix 5 - Alternatives to the Undertaking and Alternative Methods of Carrying Out the Undertaking;
- Appendix 6 - Category C: Environmental Study Report Format;
- Appendix 7 - Emergency Situations;
- Appendix 8 - Identifying Expert Federal Authorities and Potential Triggers under the *Canadian Environmental Assessment Act*; and
- Appendix 9 - Glossary of Terms.

2.0 THE CLASS EA METHODOLOGY

The Class EA consists of the procedures which permit MBS to comply with the requirements of the *Environmental Assessment Act* (*EA Act*) for the undertakings described in the Class EA document (see Section 9.7 for a discussion of proponency). The first four steps, which are common to all Category methodologies, are referred to as the Environmental Assessment (EA) Category Selection Process. Step numbers in the text refer to the "Flowchart" (Figure 2.1), which presents the EA Category Selection Process and each Category Methodology in graphical format.

2.1 The Environmental Assessment Category Selection Process

"Categorization" is the assignment of an EA Category label to an undertaking based on its possible environmental effects or because of public concern. This is the basis for the Class EA process. The "Category Listing Matrix"(Figure 2.2) allows for the provisional determination of the level of EA that is applicable to ORC undertakings.

Occasionally, ORC may want to carry out a variation of an undertaking that is not clearly listed in the matrix. In this case, ORC will apply the screening process outlined in Table 2.1. After screening, the undertaking will either have an assigned provisional EA category or it will need to be assessed under an Individual EA (Category D).

"Net" effects are those effects that remain after mitigating the environmental effects of an undertaking. Both the Category Listing Matrix and Screening Questions are based on "net" effects. In other words, they assume that adverse environmental effects have been evaluated, and mitigation measures have been applied.

2.1.1 Identification and Definition of the Undertaking

STEP 1: Identify and Describe Undertaking

The identification and definition of an undertaking is normally developed at the project planning stage or the planning of operational and maintenance activities. The project identification and definition are normally developed at the time the annual capital and operating budgets are created for the annual planning cycle. The project description then becomes part of each file and describes the undertaking. The proponent should also identify if there is any other applicable EA procedure (some activities undertaken by the ORC for other Ministries or Agencies may be subject to another Class EA process or another environmental assessment process).

2.1.2 Determination of Provisional Environmental Assessment Category

Steps 2 to 4 determine the environmental assessment category for the undertaking. These steps are critical, since categorization is key to the Class EA approach. There are two methods for determining the category of an undertaking. The simplest, which will be applicable in the majority of cases, is to identify the undertaking in the "Category Listing Matrix" (Figure 2.2). However, on occasion, this will not be possible, and it will be necessary to use the "Screening Table" (Table 2.1).

STEP 2: Find Undertaking in Category Listing Matrix

The "Category Listing Matrix" (Figure 2.2), is a graphic tool that helps to define the appropriate environmental assessment Category for ORC undertakings. To use the Matrix, identify the box where the undertaking being proposed intersects with the applicable facility subgroup. This box will identify the appropriate level of EA. If the facility (or subgroup) is described, Step 3 can be followed. If it is not described, Step 3 is bypassed and Step 4 is initiated.

A project subject to this Class EA may also be subject to federal environmental assessment and the requirements of the *Canadian Environmental Assessment Act* (*CEAA*), regardless of project category. Further details on *CEAA* are provided in Section 9.5.3.

STEP 3: Match Detailed Description in Class EA

The person applying the Class EA verifies that the definition of the facility subgroup, as it is found in the project documentation, matches the detailed description of such facility subgroups found in Appendix 1. If there is a match, Step 4 is bypassed, and the user follows the Flowchart to the Category which has just been identified. If there is no match, Step 4, the Screening Table (Table 2.1) is applied.

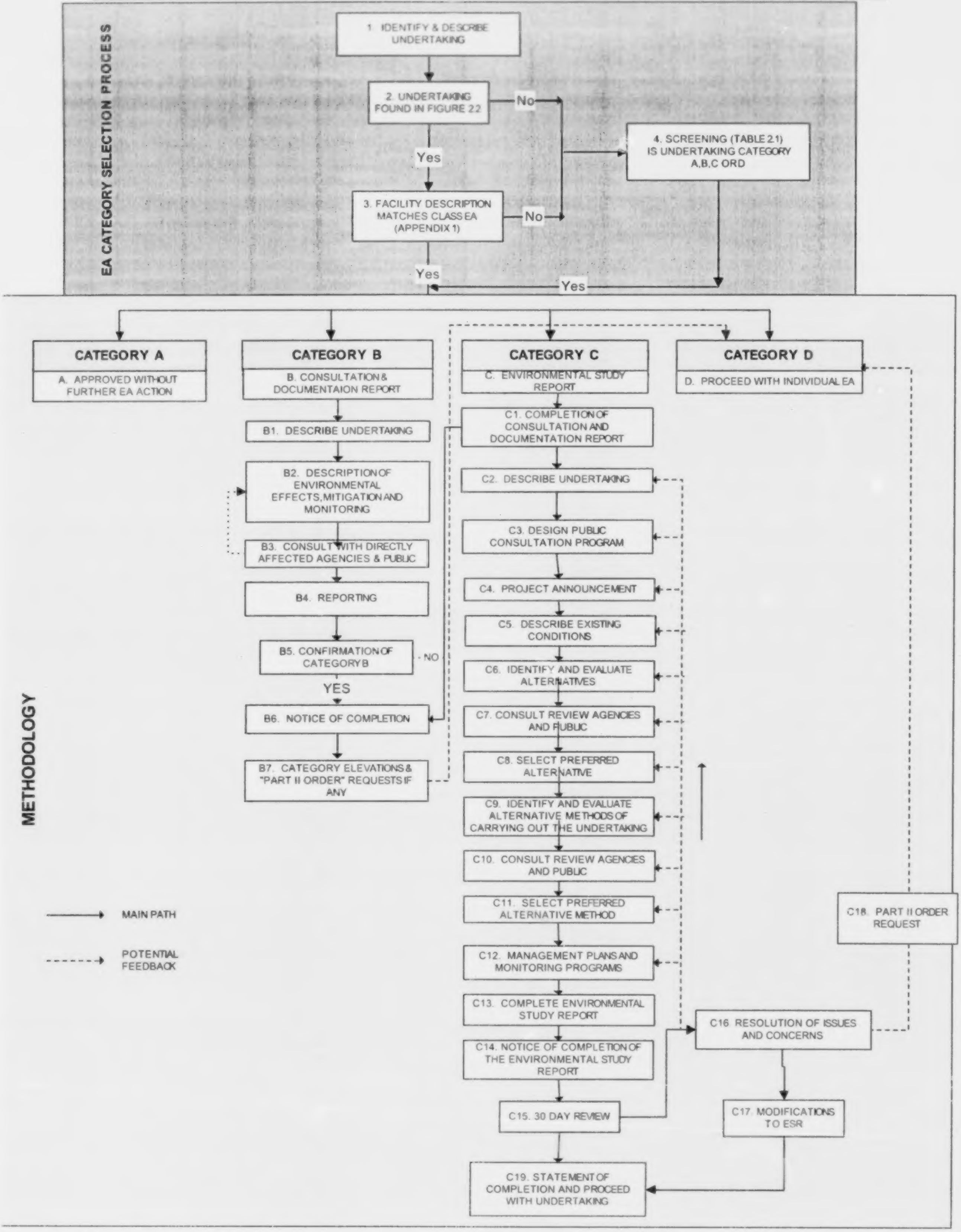
Verification of the facility description with the Appendix 1 definitions ensures that the facility does not have any unusual program or features that could have environmental effects or give rise to public concerns that are not normally associated with the undertaking being assessed. For example, an undertaking to build an otherwise ordinary office building should be assessed differently if it has an associated storage yard for hazardous materials. If the facility subgroup is not included in the Matrix, Appendix 1 should be consulted. To determine the appropriate subgroup, compare the description of the proposed facility with the detailed descriptions provided in the appendix.

NOTE: The identification of an EA Category B or Category C using the Matrix is provisional until analysis and consultation show that the EA Category is appropriate. At any point during the application of the EA Category methodology, any undertaking may be raised to the next Category or to an Individual EA (Category D).

Figure 2.1 Flow Chart for MBS Class EA Methodology

Please refer to the VISIO document titled Figure 2.1.vsd. The VISIO document is a separate electronic file for those readers using an electronic copy of this document. If you are unable to open this document, please call Isla Deyell at (613) 738-0708 ext. 284 and a copy will be faxed to you.

FIGURE 2.1 FLOWCHART FOR MBS CLASS EA METHODOLOGY


EA CATEGORY SELECTION PROCESS
1. IDENTIFY & DESCRIBE UNDERTAKING
2. UNDERTAKING FOUND IN FIGURE 2.2
No
Yes
3. FACILITY DESCRIPTION MATCHES CLASS EA (APPENDIX 1)
No
Yes
4. SCREENING (TABLE 2.1) IS UNDERTAKING CATEGORY A,B,C OR D
Yes
METHODOLOGY
CATEGORY A
A. APPROVED WITHOUT FURTHER EA ACTION
CATEGORY B
B. CONSULTATION & DOCUMENTAION REPORT
B1. DESCRIBE UNDERTAKING
B2. DESCRIPTION OF ENVIRONMENTAL EFFECTS, MITIGATION AND MONITORING
B3. CONSULT WITH DIRECTLY AFFECTED AGENCIES & PUBLIC
B4. REPORTING
B5. CONFIRMATION OF CATEGORY B
NO
YES
B6. NOTICE OF COMPLETION
B7. CATEGORY ELEVATIONS & "PART II ORDER" REQUESTS IF ANY
CATEGORY C
C. ENVIRONMENTAL STUDY REPORT
C1. COMPLETION OF CONSULTATION AND DOCUMENTATION REPORT
C2. DESCRIBE UNDERTAKING
C3. DESIGN PUBLIC CONSULTATION PROGRAM
C4. PROJECT ANNOUNCEMENT
C5. DESCRIBE EXISTING CONDITIONS
C6. IDENTIFY AND EVALUATE ALTERNATIVES
C7. CONSULT REVIEW AGENCIES AND PUBLIC
C8. SELECT PREFERRED ALTERNATIVE
C9. IDENTIFY AND EVALUATE ALTERNATIVE METHODS OF CARRYING OUT THE UNDERTAKING
C10. CONSULT REVIEW AGENCIES AND PUBLIC
C11. SELECT PREFERRED ALTERNATIVE METHOD
C12. MANAGEMENT PLANS AND MONITORING PROGRAMS
C13. COMPLETE ENVIRONMENTAL STUDY REPORT
C14. NOTICE OF COMPLETION OF THE ENVIRONMENTAL STUDY REPORT
C15. 30 DAY REVIEW
C16. RESOLUTION OF ISSUES AND CONCERNS
C17. MODIFICATIONS TO ESR
C18. PART II ORDER REQUEST
C19. STATEMENT OF COMPLETION AND PROCEED WITH UNDERTAKING
CATEGORY D
D. PROCEED WITH INDIVIDUAL EA
MAIN PATH
POTENTIAL FEEDBACK

STEP 4: Apply Environmental Assessment Category Screening Questions (If Required)

If the facility subgroup is not listed in the Category Listing Matrix it will be necessary to "screen" the undertaking to determine its provisional EA Category. The undertaking is subjected, sequentially, to the screening questions in Table 2.1- Environmental Assessment Category Identification Table, following the instructions in the second column of the table until a Provisional Category has been determined. Depending upon the particular undertaking, the Category determination may be made within the first few questions or through the application of a greater number of questions, and possibly by carrying out further research, analysis, surveys and fieldwork. Once the Category has been determined, the user follows the Flowchart for the EA Category that has now been identified. A detailed description of the "Screening" can be found in Appendix 2.

The Screening Questions can also be used to respond to any queries or challenges that might arise when a review agency or the public question an undertaking's Category, as identified through the use of the Matrix. The identification of a Category B or Category C undertaking is still provisional until the actual assessment of the undertaking confirms that the environmental effects and public concern are known and addressed in the EA.

Figure 2.2 Category Listing Matrix

Please refer to the Excel Spreadsheet titled "Category Listing Matrix.xls. The Excel Spreadsheet is a separate electronic file for those readers using an electronic copy of this document. If you are unable to open this document, please call Isla Deyell at (613) 738-0708 ext. 284 and a copy will be faxed to you.

Figure 2.2 Category Listing Matrix

Note: The Matrix cannot be used for any property more than 40 years old that does not have an MBS CHE #. MBS CHE # is the number assigned to the "Form for the Evaluation of Cultural Heritage Potential" for MBS property as described in the MBS Cultural Heritage Process

Key
A - Category A
B - Category B
C - Category C
D - Category D
* - Other EA Approval Process
♦ - Other Legislation or Regulation
 - Not Applicable

1. MATRIX TO BE READ IN CONJUNCTION WITH APPENDIX 1
2. INTERDEPENDANT UNDERTAKINGS CANNOT BE SUBDIVIDED
3. COMPOUND ACTION UNDERTAKINGS TAKE ON CATEGORY OF HIGHEST COMPONENT ACTION

***For detailed description of the Facility Groups and Subgroups refer to Appendix A of this document.**

Undertaking Facility Groups and Subgroups	OPTIONING (REAL PROPERTY, EASM'TS & ROW'S)	LEASING & RENEWALS, NO CHANGE IN USE	LETTING & RENEWALS, NO CHANGE IN USE	APPRAISALS	SURVEYS	FEASIBILITY STUDIES	LEGAL SERVICES	CO-DEVELOPMENT AGREEMENTS	CONSULTANTS AGREEMENTS	REAL ESTATE PROFILE REPORTING	GROUNDS MAINTENANCE	LANDSCAPING	MORTGAGES	GRANTS	LEASE ADMINISTRATION	TITLE SEARCH	CONTAMINANT SEARCH & DECOMMISS'NG ESTIMATE	DESIGN SERVICES	MARKET AND REALTY SERVICES	BUILDING MAINTENANCE (INTERIOR & EXTERIOR)	BUILDING REPAIR (INTERIOR & EXTERIOR)	BUILDING ALTERATION AND RESTOR'N (INT & EXT)	LEASING & RENEWALS, WITH CHANGE IN USE	LETTING & RENEWALS, WITH CHANGE IN USE	LEASE PURCHASE	EASEMENTS	SEVERANCE	EXPROPRIATIONS	PURCHASE	SALE OR DISPOSAL	SALE OR DISPOSAL W/ESA TO CONS'VN BODY	SALE OR DISPOSAL W/ESA TO NON-CONS'VN BODY	DEMOLITION	DECOMMISSIONING	PLANNING APPROVALS (LAND DEVELOPMENT)	SALE OF DENSITY OR AIR RIGHTS	LOW VOLTAGE RIGHTS (POWER POLES & GUY WIRE)	RECONSTRUCTION	ADDITIONS (ALL OTHER THAN CUSTODIAL)	ADDITIONS < 50% FLOOR SPACE (CUSTODIAL)	ADDITIONS 51 - 100% FLOOR SPACE (CUSTODIAL)	ADDITIONS > 100% FLOOR SPACE (CUSTODIAL)	CONSTRUCTION
1. NON PROGRAMMED PROPERTY	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	B	B	B	B	A	B	B	B	B	C	B	B	A	B	B	B	B				B
1.1 VACANT LAND	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	B	B	B	B	A	B	B	B	B	C	B	B	A	B	B	B	B				B
1.2 LAND WITH IMPROVEMENTS	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	B	B	B	B	B	B	B	C	B	C	B	B	A	B	B	B	C				B
1.3 LAND WITH ENVIRONMETNALLY SIGNIFICANT AREA																																											
2. ADMINISTRATIVE FACILITIES																																											
2.1 ADMINISTRATIVE BUILDINGS	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	B	B	B	B		B	B	B	B		B	B	B	B	B	B	B				B
2.2 CHILD CARE CENTRES	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	B	B	B	B		B	B	B	B		B	B	B	B	B	B	B				B
2.3 EDUCATIONAL CENTRES	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	B	B	B	B		B	B	B	B		B	B	B	B	B	B	B				B
2.4 HEALTH CLINICS	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	B	B	B	B		B	B	B	B		B	B	B	B	B	B	B				B
2.5 RECREATION AND TOURISM FACILITIES	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	B	B	B	B		B	B	B	B		B	B	B	B	B	B	B				B
2.6 CASINO	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	B	B	B	B		B	B	B	B		B	B	B	B	B	B	B				B
3. STORAGE FACILITIES																																											
3.1 GARAGES	A	A	A	A	A	A	A	A	A	A	A	A		A	A	A	A	A		A	A	A	B	B	B	B	B	B	B	B	B	C	B	B	B		B	B	B				B
3.2 BOAT SLIPS	A	A	A	A	A	A	A	A	A	A	A	A		A	A	A	A	A		A	A	A	B	B	B	B	B	B	B	B	B	C	B	B	B		B	B	B				B
3.3 PATROL YARDS	A	A	A	A	A	A	A	A	A	A	A	A		A	A	A	A	A		A	A	A	B	B	B	B	B	B	B	B	B	C	B	B	B		B	B	B				C
3.4 WAREHOUSES	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		A	A	A	B	B	B	B	B	B	B	B	B	C	B	B	B		B	B	B				B
4. CUSTODIAL FACILITIES																																											
4.1 JAILS	A			A	A	A	A				A	A		A		A	A	A		A	A	A					B	B	B	B	B	C	B	B	B			B		B	C	D	D
4.2 DETENTION CENTRES	A			A	A	A	A				A	A		A		A	A	A		A	A	A					B	B	B	B	B	C	B	B	B			B		B	C	D	D
4.3 CORRECTIONAL CENTRES	A			A	A	A	A				A	A		A		A	A	A		A	A	A					B	B	B	B	B	C	B	B	B	B		B		B	C	D	D
4.4 FORESTRY CAMPS	A			A	A	A	A				A	A		A		A	A	A		A	A	A					B	B	B	B	B	C	B	B	B		B	B		B	C	D	D
4.5 Y'NG OFF'DRS OPEN/SECURE DET. CENTRES	A			A	A	A	A				A	A		A		A	A	A		A	A	A					B	B	B	B	B	C	B	B	B			B		B	C	D	D
4.6 TREATMENT CENTRES	A			A	A	A	A				A	A		A		A	A	A		A	A	A					B	B	B	B	B	C	B	B	B			B		B	C	D	D
4.7 PSYCHIATRIC HOSPITALS	A			A	A	A	A				A	A		A	A	A	A	A		A	A	A					B	B	B	B	B	C	B	B	B			B		B	C	D	D
4.8 CENTRES FOR DEVELOPMENTALLY H'CAPPED	A			A	A	A	A				A	A		A		A	A	A		A	A	A					B	B	B	B	B	C	B	B	B			B		B	C	D	D
4.9 PROJECT D.A.R.E. FACILITIES	A			A	A	A	A				A	A		A	A	A	A	A		A	A	A					B	B	B	B	B	C	B	B	B	B		B		B	C	D	D
5. TRANSPORTATION FACILITIES																																											
5.1 GOVERNMENT AIRCRAFT FACILITIES	*	*	*	*	*	*	*	*	*	*	*	A	*	*	*	*	*	*	*	*	*	*					B		*	*	B	C	*	*	*			*	*				*
5.2 TRANSIT SERVICE FACILITIES	*	*	*	*	*	*	*	*	*	*	*	A	*	*	*	*	*	*	*	*	*	*					B		*	*	B	C	*	*	*			*	*				*
5.3 ROAD AND PARKING FACILITIES	*	*	*	*	*	*	*	*	*	*	*	A	*	*	*	*	*	*	*	*	*	*					B		*	*	B	C	*	*	*			*	*				*
5.4 WATER CROSSINGS	*	*	*	*	*	*	*	*	*	*	*	A	*	*	*	*	*	*	*	*	*	*					B			*	B	C	*	*	*			*	*				*
5.5 PEDESTRIAN ACCESS FACILITIES	*	*	*	*	*	*	*	*	*	*	*	A	*	*	*	*	*	*	*	*	*	*					B			*	B	C	*	*	*			*					*
6. RESEARCH FACILITIES																																											
6.1 ENVIRONMENTAL MONITORING FACILITIES	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A								A			B	B	B			B	B				B
6.2 EXPERIMENTAL FARMS	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A			B		B		B	B			B	B	B			B	B				C
6.3 AGRICULTURE EXTENSION STATIONS	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A			B		B		B	B			B	B	B			B	B				C
6.4 FISH CULTURE FACILITIES	*	*	*	*	*	*	*	*	*	*	*	A	*	*	*	*	*	*	*	*	*	*								*			*	*	*			*	*				*
6.5 NURSERIES AND ARBORETUMS	*	*	*	*	*	*	*	*	*	*	*	A	*	*	*	*	*	*	*	*	*	*			*				*	*			*	*	*			*	*				*
7. UTILITY DEVELOMENT																																											
7.1 COMMUNICATIONS TOWERS	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A				C	B											B	C				C
8. INFRASTRUCTURE DEVELOPMENT																																											
8.1 SANITARY COLL'N, TRTM'T, & DISP'L SYST.	*	*	*	*	*	*	*	*	*	*	*	A	*	*	*	*	*	*	*	*	*	*								*			*	*				*	*				*
8.2 WATER SUPPLY DISTR'B'N & TRTM'T SYST.	*	*	*	*	*	*	*	*	*	*	*	A	*	*	*	*	*	*	*	*	*	*								*			*	*				*	*				*
8.3 DRAINAGE ACT RELATED WORK	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦	A	♦	♦	♦	♦	♦	♦	♦	♦	♦	♦																					
8.4 STORMWATER MANAGEMENT FACILITIES	*	*	*	*	*	*	*	*	*	*	*	A	*	*	*	*	*	*	*	*	*	*								*			*	*				*	*				*
8.5 STREAM CHANNELIZ'N AND BANK STABILIZ'N	*	*	*	*	*	*	*	*	*	*	*	A	*	*	*	*	*	*	*	*	*	*																*	*				*
9. HERITAGE PROPERTIES																																											
9.1 CULTURAL HERITAGE PROPERTIES	A	A	B	B	A	B	A	B	B	B	A	A	B	B	A	A	A	B	B	B	B	B	B	B	B	B	B	B	B	B	B	C	B	B	B	B	B	B	B	B	B	B	B
9.2 HERITAGE SUPPORT PROPERTIES	A	A	A	A	A	B	A	B	B	B	A	A	A	B	A	A	A	B	A	A	B	B	B	B	B	B	B	B	B	B	B	B	B	C	B	B	B	B	B	B	B	B	B
10. WASTE FACILITIES / CONTAMINATED PROPERTY																																											
10.1 COMPOSTING FACILITIES	A	B	B	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	B	B	B	B	B	B	B	B			B	B	B		B	B	B				B
10.2 CONTAMINATED SITES	A	A	A	A	A	A	A		A	A		A	A	A	A		A	A	A								B			B				B									
10.3 CONTAMINATED BUILDING	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A					B			B			B	B	B		B	B					
10.4a NON-HAZARDOUS SOLID WASTE LNDF'L FAC'TY LIFETIME CAP'Y <40,000 m³	A	B	B	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	C	C		B	B		B	B			B	B	C			C	C				C
10.4b NON-HAZARDOUS SOLID WASTE LNDF'L FAC'TY LIFETIME CAP'Y >40,000 m³	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D
10.5 HAZARDOUS AND INDUSTRIAL LIQUID WASTE MANAGEMENT FACILITY	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D

For detailed description of the Facility Groups & Subgroups refer Appendix 1 of this document.

Table 2.1: Environmental Assessment (EA) Category Identification Table

The four environmental assessment categories referred to in this table are (see Section 1.3.4):

- Category A: Approved without Further EA Action
- Category B: Consultation and Documentation Report
- Category C: Environmental Study Report (ESR)
- Category D: Individual EA

Screening Questions	Answers
1. Has the undertaking already been approved under an individual EA, some other approved class EA, a Declaration Order or regulation under the *Environmental Assessment Act*?	YES - verify approval in writing, then proceed with undertaking. No further EA procedures are required under MBS Class EA. NO - go to 2
2. Is the undertaking a) subject to the client agency's own individual EA, approved Class EA, a Declaration Order or regulation under the *Environmental Assessment Act*, which has not yet been applied, or b) subject to some other approved class EA, (but not that of the client agency), which has not yet been applied?	YES - a) wait until the client agency applies its own approval process, or requests MBS to do so on its behalf, or b) after consultation with MOE, apply the other class EA. Then, in both cases, proceed with undertaking. No further EA procedures are required under MBS Class EA. NO - go to 3
3. Is the undertaking qualified for a "class" methodology because it generally has the following characteristics: responsive to the standard mitigation of this Class EA, similar in nature, limited in scale or has a determined range of impacts?	YES - go to 4 NO -Category D
4. Does the property have a valid Cultural Heritage Evaluation?(see Appendix 9 for definition)	YES - go to 5 NO - go to 6
5. Is this an MBS Heritage Property?	YES - Category B NO - go to 6
6. Would the undertaking be limited to advisory services, financial services or feasibility studies?	YES - go to 15 NO - go to 7
7. Would the undertaking be limited to planning approvals under the *Planning Act* (consents or variances)?	YES - Category A NO - go to 9
8. Would the undertaking involve the leasing or letting of real property, for any purposes except storage or transfer of significant amounts of hazardous or toxic materials based on Regulation 309, and MOE Small Quantities Exemption Specifications ?	YES - go to 10 NO - go to 9
9. Would the undertaking involve the leasing, letting, purchase, sale, demolition or decommissioning of real property that is contaminated with or used for the storage or transfer of significant amounts of hazardous or toxic materials?	YES - Category B NO - go to 10

Screening Questions	Answers
10. Would the undertaking be limited to the routine maintenance, repair or renovation of Crown facilities?	YES - go to 16 NO - go to 11
11. Would the undertaking be limited to optioning to purchase real property, easements, or rights-of-way?	YES - Category A NO - go to 12
12. Would the undertaking involve any of the following : purchase and sale, or disposal of real property or real property rights; planning approvals under the *Planning Act* other than consents or variances; or exceeding floodplain restrictions?[1]	YES - Category B NO - go to 13
13. Would the undertaking involve the planning or construction of a new custodial facilities or hazardous waste handling or disposal facility?	YES - Category D NO - go to 14
14. Would the undertaking involve the expansion of between 51-100% in floor space, of a custodial facility?	YES - Category C NO - go to 15
15. Would the undertaking involve the expansion of less than 50% in floor space, or any reconstruction, of a custodial facility?	YES - Category B NO - go to 16
16. Could the undertaking have an effect on the heritage character or the legal protection of an MBS Heritage Property? [2]	YES - Category B NO - go to 17
17. Could the undertaking cause an impact beyond established limits and practiced forms, or permanently inhibit opportunities for rehabilitation where degraded conditions exist, in terms of adverse effects related to such factors as noise, visual intrusion, odour, air quality and emissions, water quality or quantity, or physical access? 3	YES - Category C NO - go to 18
18. Could the undertaking pose a risk beyond established practices and norms, to public health or safety?	YES - Category D NO - go to 19
19. For undertakings that do not require an application under the *Planning Act*, could the undertaking cause long-term changes, beyond existing background variations (based on standard demographic measures), to the social structure or the demographic characteristics of the surrounding community?	YES - Category C NO - go to 20
20. Could the undertaking result in damages or losses to designated or otherwise identified cultural heritage features?[3]	YES - Category B NO - go to 21
21. Could the undertaking cause any local, long term changes significant enough to threaten the habitat of regionally, provincially, or nationally rare flora or fauna and threatened or endangered species; municipal, regional or conservation authority ESAs (see Glossary); specialty croplands or prime agricultural lands (Class 1-4); provincially significant wetlands; ANSIs (based on MNR policy); Escarpment Natural Area or Escarpment Protection Area (based on the Niagara Escarpment Plan); and permanent watercourses and riverbanks?4	YES - Category C NO - go to 22

Screening Questions	Answers
22. Would the undertaking permanently block or restrict fish or wildlife movement and migration through the construction of culverts, diversions, fencing, or barriers (which can include buildings)?	YES - Category C NO - Category A

1 In addition to the above, it is necessary to comply with all applicable acts, regulations, policies, plans, by-laws, guidelines and operational standards of the Federal Government, Provincial Government or Municipal Government.

2 Question intentionally duplicated to ensure that heritage concerns are addressed for every undertaking.

3 When questions involve the mandated authority of another ministry (such as MNR in the case of ESAs, MOE for water, MTCR for heritage), contact the appropriate ministry. The mandated ministry must be consulted if there is any doubt as to the proper response. When answering technical questions such as those relating to fish, wildlife and water quality, etc., consultant qualified professionals.

4 When questions involve the mandated authority of another ministry (such as MNR in the case of ESAs, MOE for water, MTCR for heritage), contact the appropriate ministry. The mandated ministry must be consulted if there is any doubt as to the proper response. When answering technical questions such as those relating to fish, wildlife and water quality, etc., consultant qualified professionals.

3.0 CATEGORY A UNDERTAKINGS - APPROVED WITHOUT FURTHER EA ACTION

Undertakings in Category A are minor in scale and have minimal or no adverse environmental effects. These undertakings consist primarily of routine activities such as: administrative, appraisal and legal services, feasibility studies and field research, having no direct physical effect on real property; or maintenance, alteration and repair of real property, with only minimal, or no physical changes. With Category A undertakings, there is no: construction; irreversible site preparation; purchase or sale; or change in land use designation. MBS completes thousands of these undertakings each year.

3.1 Category A Undertaking

Approved without Further Environmental Assessment Action (Figure 2.1)

Category A undertakings do not have any environmental assessment notice, submission or approval requirements. This Category requires no mandatory contact with other agencies or groups. However, all ORC undertakings do require the completion of Sections 1 and 2 of the "ORC Consultation and Documentation Report". The completion of Section 1 of this report describes the project and site. Section 2 identifies that the undertaking is a Category A Environmental Assessment. A copy of the "ORC Consultation and Documentation Report", to be completed for Category A undertakings, is found in Appendix 3.

3.2 Category A Methodology

STEP refers to the numbers on the "Flowchart for MBS EA Methodology" Figure 2.1.

STEP A1: Confirm Category A (Figure 2.1)

If the undertaking is in Category A, no further environmental assessment (EA) action is required. The undertaking can proceed, provided that Steps 1-4 have been followed. This includes verifying that the undertaking has no effect on the cultural heritage value of an MBS Cultural Heritage Property and is not subject to the MBS/Minister of Culture and Citizenship (MCC) Cultural Heritage Protocol, in which case a Category B (or higher), level of assessment would be required.

4.0 CATEGORY B UNDERTAKINGS - CONSULTATION AND DOCUMENTATION REPORT

4.1 Category B Undertakings

Undertakings in Category B have some potential for adverse environmental effects. These effects are well understood from a technical perspective, are minor in nature and of short duration. Environmental Assessment (EA) requirements for this Category are kept to a level of detail which ensures proper environmental protection. Most of the effects are regulated by existing guidelines, approved policies of client ministries and other agencies, and provincial legislation such as the *Environmental Protection Act*, the *Drainage Act*, the *Planning Act*, the *Building Code Act* and the provisions of other Class EAs. ORC Realty Group completes hundreds of these undertakings annually.

For Category B undertakings, ORC must consult with directly affected parties. ORC will complete a seven-point, site-specific analysis that examines municipal Official Plan and zoning designations, contaminants, Environmentally Significant Areas (ESAs), cultural heritage, servicing capacity and distinctive environmental features. ORC must keep a record of consultation activities, issues identified and resolved, environmental effects and any necessary mitigation measures.

Based on the analysis of potential environmental effects and public concern, ORC may voluntarily elevate the undertaking to a Category C or Category D. If ORC cannot resolve public concerns through discussion, further analysis, or by modifying its proposed undertaking, directly affected parties may ask for a Category Elevation or a request a Part II Order. Further details on a request for a Category Elevation or a request for a Part II Order are provided in Sections 9.2 and 9.3, respectively. The documentation for the EA consists of the ORC Consultation and Documentation Report supplemented by any additional study report as required or a more detailed study report, as outlined in **Step B4**.

The first four steps have been covered in Section 2.0 (Class EA Methodology) and are as follows:

STEP 1: Identify and Describe Undertaking

STEP 2: Find Undertaking in Category Listing

STEP 3: Match Detailed Description in Class EA

STEP 4: Apply Screening Questions (If Required)

In addition, for Category B undertakings, *Planning Act* approval may be required. While the formal application for *Planning Act* approval should only proceed after it has been confirmed that there will not be any requests for a Category Elevation or a Part II Order, the *Planning Act* process can be initiated earlier to permit the coordination of any common tasks under the planning and EA streams of activity, such as consultation and any common technical studies.

For undertakings that do not require an application under the *Planning Act*, and if the undertaking could cause long-term changes beyond existing background variations (based on standard demographic measures) to the social structure or the demographic characteristics of the surrounding community, the undertaking is no longer a Category B, but is now considered to be a Category C. Only those activities that will be part of the undertaking are to be considered. For example, in the sale of lands, the future use of the lands and any planning or development decisions are not assessed as part of the undertaking to sell or dispose of the lands.

While *Planning Act* and EA work may be performed concurrently, approvals under the *Planning Act* can only be exercised following the proper use of the Class EA process and the subsequent completion of the appropriate Class EA methodology. At this point the undertaking is approved.

The written documentation generated by completing the Category B methodology provides a record of the process, analysis, consultation and results of the Class EA for the undertaking. The required format and content for the ORC Consultation and Documentation Report are outlined below. The Category B methodology is described also below.

4.2 Category B Methodology

STEP refers to the numbers on the "Flowchart for MBS EA Methodology" - Figure 2.1.

STEP B1: Describe Undertaking

The undertaking is described based upon the output of Steps 1-4 of the EA Category Selection process (see Section 2.0). The Category B designation, until it is verified, must be considered "provisional". An important aspect of the Category B methodology is to confirm that Category B is indeed appropriate, and that there is no reason for a Category Elevation to Category C or a Category D (i.e, an Individual EA). This is accomplished by performing a 7-point site specific analysis. If it is confirmed that Category B is appropriate, the proponent will then proceed to address any minor impacts identified by the 7-point site specific analysis.

Due to the nature of activities of the MBS, the assessment of alternatives to an undertaking is not examined under the Class EA process for Category B assessments. The assessment of alternatives has taken place within another planning framework or policy process by the client agency in the assessment of program needs. Category B undertakings, by definition, have limited environmental effects that are well understood from a technical perspective and are minor in nature (Section 1.3.4). As such, the selection of a preferred alternative can take place outside the Class EA process. The ORC will identify the planning and approvals process that was used prior to requesting that the ORC proceed with the EA for the identified undertaking. This will be identified on the Consultation and Documentation Report under "Discussion of the Review of Alternatives to the Undertaking".

The ORC Consultation and Documentation Report contains a 7-point site specific analysis described below.

The 7 point site specific analysis is as follows.

1. Existing land use status, including Official Plan designation and zoning designations including floodplain zones, specialty croplands and prime agricultural lands (Classes 1-3) (unless designated for development in an Official Plan) and existing land use. In carrying out the site specific analysis, ORC will consider the effects of the undertaking on prime agricultural lands and any resulting change in use or designation.

2. Environmental condition of the property.

3. Environmentally Significant Areas (ESAs) (see Glossary). Refer to Question 21, Table 2.1. If the answer to this question is yes, then the undertaking is actually a Category C and should be addressed using the Category C methodology.

4. Distinctive environmental features, such as wetlands and water bodies, woodlots, steep slopes and ravines, etc. Refer to Question 21, Table 2.1. If the answer to this question is yes, then the undertaking is a Category C undertaking and should be assessed using the Category C methodology.

5. Servicing capacity of the surrounding infrastructure (roads, water, sewer and drainage) or where on-site servicing is being considered, the feasibility of on-site sewage disposal and access to an adequate supply of potable water.

6. Cultural heritage resources (see Glossary) - known and potential, and no yet assessed, including archaeological, built, cultural landscapes and sacred sites of cultural significance. All properties with potential heritage concern must be assessed and receive an MBS Cultural Heritage Evaluation.

7. Social and Economic Analysis. For undertakings that do not require an application under the *Planning Act*, could the undertaking cause long-term changes, beyond existing background variations (based on standard demographic measures), to the social structure or the demographic characteristics of the surrounding community?

STEP B2: Description of Environmental Effects, Mitigation and Monitoring

For the 7-point site specific analysis described in Step B1, each point should be described in the Consultation and Documentation Report in terms of existing conditions, potential effects of the undertaking and conclusions with respect to mitigation and/or site suitability. This should include descriptions of the standard mitigation measures to be employed, including any potential contributions to rehabilitating and enhancing existing degraded conditions. The requirement for mitigation and monitoring programs will be documented in the Consultation and Documentation Report or attached as an Appendix.

MBS will consider the effect of the undertaking on the cultural value of ORC Heritage Properties identified in their Heritage Character Statements and use the information and procedures developed pursuant to the Cultural Heritage Protocol agreed to by MBS and the Ministry of Citizenship, Culture and Recreation.

STEP B3: Consult with Directly Affected Agencies and the Public

A list of interested agencies and parties that may be directly affected by any of the conditions described in Step B2 is included in Appendix 4. The directly affected parties must be contacted and provided with a description of the undertaking, its need, purpose, scope and timing, as well as the conclusions of the 7-point site specific analysis, including any problems identified and planned mitigation measures.

Depending on the response, there may be a need to provide additional information such as maps, data, or copies of one or more of the 7-point analyses; or to schedule a personal meeting, telephone call or letter to deal with the subject in greater depth or perform further analysis or fieldwork.

Following the first contact (or the last contact where more than one contact is necessary), the ORC will provide 15 calendar days for the interested agency or party involved to offer a response for conformation or comment.

Where any specific concern is raised, ORC will attempt to resolve the issue through such means as discussion, further research and field investigations, redesign, mitigation measures, etc. If ORC agrees that the issues will not be resolved without a Category Elevation, ORC will assess the project as a Category C. If ORC does not agree to voluntarily assess the project as a Category C, any objectors can initiate a request for a "Part II Order" for an individual assessment (see Step B7).

ORC can proceed with assessing the undertaking using the Category B methodology:

1. If there are no concerns expressed;
2. All reasonable concerns have been resolved; or
3. If there is no Category Elevation.

All written submissions relating to the undertaking must be recorded and kept on file.

For projects with an impact on the value defining features of an MBS Heritage Property (as identified in its Heritage Character Statement) or requiring any planning approvals under the *Planning Act*, the definition of directly interested parties will be extended to include local and regional non-government organizations (NGOs) and special interest groups that may have an interest with the particular issues related to the undertaking under consideration.

In the case of the proposed sale of an MBS property that affects an ESA, for example, parties contacted would include conservation authorities and local naturalist organizations. For this broader consultation process, the approach to consultation will be similar to that described above (initial contact and/or personal meetings), with the exception that a 30 calendar day response period will be provided for heritage consultation in the case of heritage properties. If, at this point, it is clear that there will not be any Category Elevation, the application for *Planning Act* approval (where required), can commence.

STEP B4: Reporting

The results of consultation with directly affected agencies and members of the public should be summarized in the "ORC Consultation and Documentation Report". This document will set out the potential impacts identified through the public consultation including a brief description of the issues and concerns raised, and how these were addressed or resolved. This may result in required changes to the information documented in Step B3. If no concerns were raised during the consultation, this should be noted. A list of the parties contacted during the consultation stage, as well as any meetings that were held, should be attached to the ORC Consultation and Documentation Report as an appendix.

In some cases, the completion of a Category B EA will require the completion of a report such as an Environmental Site Assessment. Any additional documentation will be appended to the Consultation and Documentation Report.

STEP B5: Confirmation of Category B

The Sign-Off Declaration at the end of the Consultation and Documentation Report is to be signed by the reviewer after careful consideration of the conditions listed in the 7-point site specific analysis, and the undertaking is confirmed as a Category B.

STEP B6: Notice of Completion

The ORC will maintain a list of projects for which a Category B assessment has been completed. The list will be posted on the ORC web site to allow public access to this information. This will provide an open and transparent process that allows for public input on decisions relating to the approval of the EA and approval for the undertaking to proceed. Upon completion of the Category B assessment (the Consultation and Documentation Report), the ORC will post a notice on their web site that the EA has been completed and that the undertaking will proceed. Information of the public's ability to request a Category elevation or request a Part II Order will also be posted on the web site

A Notice of Completion will also be sent to all Agencies and parties that have been contacted throughout the consultation on the undertaking. A copy of a sample "Notice of Completion" is found in Appendix 4. A copy of the Notice of Completion is to be sent the appropriate MOE Regional. The list of addresses for the MOE Regional Offices is provided in Appendix 4. After submission of the Notice of Completion, there is a 30 day period to submit a request for a Category elevation or a "Part II Order". After this period, if no request has been received the undertaking can proceed.

STEP B7: Category Elevations and "Part II Order" Requests (If Any)

If there are any objections or requests for a Category Elevation to a Category C or a "Part II Order" to a Category D, that cannot be resolved, the Category Elevation or "Part II Order" procedures described in Sections 9.2 and 9.3 will apply.

5.0 CATEGORY C UNDERTAKINGS - ENVIRONMENTAL STUDY REPORT

5.1 Category C Undertakings

The identification of an undertaking as a Category C is a two stage assessment methodology. The methodology uses the Consultation and Documentation Report to assess the environmental effects and public concern related to the undertaking and to confirm whether the undertaking is in fact a Category C or whether enough information is available to identify the environmental effect, mitigation and monitoring requirements and identify the undertaking as a Category B. If after completing the Consultation and Documentation Report, as described in Section 4.0 of the Class EA, the decision can be made that all environmental effects and public concerns have been addressed, the reviewer can identify that the assessment is in fact a Category B. At this time a "Notice of Completion" can be filed as outlined in **STEP B6**. If the reviewer does not have enough information to assess the undertaking, including mitigation and monitoring, after completing the Consultation and Documentation Report, the undertaking will be identified as a Category C undertaking and an Environmental Study Report (ESR), as described below will be required.

Category C undertakings have greater potential for significant environmental effects and must proceed under the full planning and documentation procedures.

Category C undertakings require a public consultation program that must be documented in the ESR. Further details on public consultation are found in Section 8.0.

Due to the nature of the activities of the ORC, the assessment of alternatives to an undertaking is not, in most cases, an option to be examined under the Class EA process. Often the assessment of alternatives has taken place within another planning framework or policy process. In those cases where the assessment of alternatives is not to be addressed under the Class EA methodology, the ORC will identify the project purpose and rationale for the undertaking. This will be identified on the Consultation and Documentation Report under "Brief Description of Purpose and Rationale".

5.2 Category C Methodology

The identification of an undertaking as a Category C is provisional using Figure 2.2 - Category Listing Matrix or Table 2.1- Environmental Assessment Category Identification Table. The confirmation of an undertaking as a Category C will not be complete until the Consultation and Documentation Report has been completed as outlined in **STEP C1**.

The first four steps are common to all Methodology, and have been covered in Section 2.0 (Class EA Methodology: Category A Undertakings).

STEP 1: Identify and Describe Undertaking

STEP 2: Find Undertaking in Category Listing

STEP 3: Match Detailed Description in Class EA

STEP 4: Apply Screening Questions (If Required)

STEP C1: Completion of the Consultation and Documentation Report

Identifying an undertaking as a Category C requires verification. The required verification relies on the Consultation and Documentation Report to do four things:

- assess potential environmental effects,
- gauge public concern regarding the undertaking,
- decide whether the undertaking falls into Category B or Category C, and
- determine whether enough information is available to identify environmental effects, mitigation, and monitoring requirements.

First, the reviewer refers to the Category Listing Matrix. If the proposed undertaking is labeled as a "Category C" project, the reviewer completes the Consultation and Documentation Report. The category of any undertaking identified as a "C" in the Matrix is provisional until after the reviewer completes the Consultation and Documentation Report. If, after completing the Consultation and Documentation Report (following the instructions in Section 4.0 of this Class EA) all environmental effects and public concerns have been addressed, the reviewer may downgrade the undertaking to a Category B. At this time a "Notice of Completion" can be filed as outlined in STEP B6. No further assessment is required.

If, however, after completing the Consultation and Documentation Report, the reviewer does not have enough information to assess potential environmental effects — including mitigation and monitoring — the undertaking will be confirmed as a Category C undertaking. The Class EA methodology for Category C projects will continue with the preparation of an Environmental Study Report (ESR) as described below.

Category C undertakings have greater potential for significant environmental effects and must proceed under the full planning and documentation procedures.

Category C undertakings require a public consultation program that must be designed in Step C3 and documented in the ESR. Further details on public consultation are found in Section 8.0.

STEP C2: Describe Undertaking

Identifying an undertaking as a Category C requires verification. The required verification relies on the Consultation and Documentation Report to do four things:

- assess potential environmental effects,
- gauge public concern regarding the undertaking,
- decide whether the undertaking falls into Category B or C, and
- determine whether enough information is available to identify environmental effects, mitigation, and monitoring requirements.

First, the reviewer refers to the Category Listing Matrix. If the proposed undertaking is labeled as a "Category C" project, the reviewer completes the Consultation and Documentation Report. The category of any undertaking identified as a "C" in the Matrix is provisional until after the reviewer completes the Consultation and Documentation Report. If, after completing the Consultation and Documentation Report (following the instructions in Section 4.0 of this Class EA) all environmental effects and public concerns have been addressed, the reviewer may downgrade the undertaking to a Category B. At this time a "Notice of Completion" can be filed as outlined in STEP B6. No further assessment is required.

If, however, after completing the Consultation and Documentation Report, the reviewer does not have enough information to assess potential environmental effects — including mitigation and monitoring — the undertaking will be confirmed as a Category C undertaking. The Class EA methodology for Category C projects will continue with the preparation of an Environmental Study Report (ESR) as described below.

Category C undertakings have greater potential for significant environmental effects and must proceed under the full planning and documentation procedures.

Category C undertakings require a public consultation program that must be documented in the ESR. Further details on public consultation are found in Section 8.0.
ORC must describe the undertaking in detail to identify clearly, not only the government agencies and members of the public whom the activity may affect, but also those who may be interested in the undertaking (See Appendix 4).

ORC must determine the physical, administrative, spatial, and temporal boundaries of the undertaking. The"Project Outline" for capital projects may provide much of the information required in this step. This information will be used in the assessment to determine the significance of environmental effects based on the extent, duration and magnitude of the potential impact, as well as the environmental component's sensitivity to, and ability to recover from the potential impact. Impacts need to be defined in terms of both ecological and human components.

STEP C3: Design Public Consultation Program

The design of the public consultation program is an important component of Environmental Study Report. Additional information on public consultation design and methodologies is contained in Section 8. The consultation program should be based on clearly articulated objectives, proposed consultation methods and a schedule of activities.

Sections 2.3-2.5 of the ESR outline (see Appendix 6) must also incorporate the consultation program contents. Consultation should include the Ministry of Culture, Tourism and Recreation when an undertaking involves a heritage property.

A copy of the Public Consultation program will be sent to the MOE.

STEP C4: Project Announcement (FIRST MANDATORY CONTACT)

ORC makes a public announcement describing the undertaking and the intention to conduct the project as a Category C.

The announcement, both as a letter of notification and a public announcement (see Appendix 4, Items 4a and 4b), should include the following elements:

- description of the undertaking;
- location of the undertaking;
- description of the Class EA process that ORC will follow;
- opportunities for public consultation;
- information on the location and availability of background material relating to the study; and
- name, address and title of a contact person to whom comment should be directed.

As a minimum, ORC must announce the ESR in following three ways:

- as a posting on the Environmental Bill of Rights (EBR) Environmental Registry;
- a letter of notification to the directly affected and/or interested parties identified in Appendix 4, Item 2;
- a public announcement in at least one newspaper of wide circulation in the study area; and
- send a copy of the Notification to the Regional Office of the MOE for the region in which the undertaking will occur (see Appendix 4 for addresses).

Additional methods of publicizing the start of the Category C method (e.g., telephone calls, door to door distribution, public service announcements, etc.) may be necessary to supplement the above methods of contact.

STEP C5: Describe Existing Conditions

At this point, descriptions of the existing environment that will or might reasonably be expected to be affected, directly or indirectly, by the undertaking will still be general in nature, identifying overall limits and major obstacles or sensitive features. Minimally, the description, must include (for details, see the ESR Outline, Appendix 6):

- assessment limits, including geographic, administrative, spatial and temporal boundaries;
- the natural environment, including floodplains, ESAs and distinctive environmental features,
- known or potential environmental liabilities;
- the socio-economic environments, including land use policy designations, prime agricultural lands and cultural heritage resources;
- the built environment, including servicing capacity of surrounding infrastructure and on-site servicing capacity; and

- any other relevant information on existing conditions that MBS has identified during this stage of the procedure.

STEP C6: Identify and Evaluate Alternatives

Due to the nature of the activities of the MBS, the assessment of alternatives to an undertaking is not in most cases an option to be examined under the Class EA process. Often the assessment of alternatives has taken place within another planning framework or policy process/decision. In those cases where the assessment of alternatives is not to be addressed under the Class EA methodology, the ORC will identify the planning and approvals process that was used prior to requesting that the ORC proceed with the EA of the identified undertaking. This will be identified in the ESR, with a summary of the purpose and rationale for the project.

"Alternatives to the Undertaking" to be examined within the context of the ESR refer to the options that may be considered by ORC or the client agency to address an identified program need. This could be either an operational or capital undertaking. The alternatives to ORC undertakings include maintaining status quo; improving the existing facility; dealing with the problem at the source; leasing, exchanging or reusing the facility; commissioning a lease-purchase agreement; or building a new facility. Appendix 5 provides more detailed descriptions of these alternatives. As noted above, the selection of the preferred alternative may be completed outside the scope of the Class EA process. The following discussion on "alternatives to the undertaking" is only relevant in those cases when the alternative will be assessed within the Class EA

Once ORC has identified the alternatives, selecting the preferred alternative is necessary. While evaluation methods may vary, they should have the common objectives of identifying the alternative that best prevents, changes, mitigates or remedies the effect on the natural, social, cultural, economic and built environments, and their interrelationships. Both positive and negative effects are to be identified and assessed. Impacts on the natural, social, cultural, economic and built environments, and their interrelationships are identified and considered. Mitigation measures and their likely effectiveness in dealing with adverse effects, at all stages of the undertaking, are described and the "net" effect is predicted.

Overall, the approach should consist of a comparative analysis where the positive and negative effects of each alternative are compared and a preferred alternative is selected. Although the evaluation may point to a preferred alternative, the results must be considered preliminary until the information from the consultation process (Step C7) has been incorporated into the analysis. New information about the environment or public concern may be identified through consultation that was not known to the reviewer at the time the alternatives were assessed.

STEP C7: Consult Review Agencies and Public (SECOND MANDATORY CONTACT)

The method(s) of consultation used for the second mandatory contact will vary. The nature of the undertaking, potential consultation participants, and the characteristics of the study area will influence the choice of method. For example, a method that is suitable for a controversial project in a large urban centre may not be appropriate in the case of small scale undertaking in a remote rural area. The proponent is responsible for selecting consultation methods that are the most suitable for the particular undertaking. MOE's Environmental Assessment and Approvals Branch (EAAB) can provide advice on the selection of appropriate methods.

For many Category C undertakings, a Public Information Centre (PIC) or Open House will provide an effective forum for obtaining public opinion on identification of the preferred alternative. PIC's and open houses allow for informal interaction between the proponent and members of the public.

Despite the methods used, adequate notice is essential for all consultation opportunities. ORC should issue this notice, both as a letter of notification and a public announcement, at least fifteen calendar days before the event. Its contents will be similar to those of the first mandatory contact, described in Step C3 above (see Appendix 4, Items 6a and 6b, for sample notification form and announcement). The notification process should be consistent with that described in Step C4.

ORC must compile and retain on file all input from external participants, whether received at consultation events or through other means (such as telephone calls, briefs, submissions or correspondence). A summary of the key issues and concerns raised during this phase of the consultation should be prepared.

Changes resulting from any source, either internal (by staff or consultants) or external (by the agencies and public) do not necessarily mean that the process goes back to the beginning. The process may merely feed back to the most recent preceding step that allows ORCS to make appropriate changes. ORC then repeats all subsequent steps. The Flowchart for ORC Class EA Methodology (Figure 2.1) shows potential feedback loops with broken lines.

STEP C8: Select Preferred Alternative

Once the proponent knows the results of the consultation process they can repeat the analysis in Step C6 incorporating the results of the consultation process. The outcome of this step should be the identification of the preferred alternative, which becomes the undertaking.

STEP C9: Identify and Evaluate Alternative Methods of Carrying Out the Undertaking

During this step, the proponent assesses alternative methods of carrying out the preferred alternative identified in Step C6.

First, the proponent must identify alternative methods of carrying out the undertaking. For undertakings involving construction, building addition, or alteration of heritage property, alternative methods must address essential features of the property, attempting wherever possible, to enhance the support of valued natural and cultural heritage.

After identifying alternative methods of carrying out the undertaking, the proponent must compare them, using an evaluation working method. A ranking of the "least" to "most" acceptable method of carrying out the undertaking will result from this evaluation.

In contrast to the earlier evaluation described in Step C5, which addressed alternatives to the undertaking, this second evaluation must be more thorough, and present detailed reasons for the selection of the preferred method to carry out the preferred alternative. However, as with the earlier evaluation, the objective is not only to avoid impacts, but also to apply, wherever possible, sound principles of environmentally responsible design and development. Standard mitigation measures, if required, must also be considered and "net" effects assessed. Should the undertaking involve building design and construction, the detail in this step will be equivalent to the conceptual design stage of the project.

STEP C10: Consult Review Agencies and Public (THIRD MANDATORY CONTACT)

The purpose of the third mandatory contact is to consult with review agencies and the public on the preferred method of carrying out the undertaking. Participants in the consultation program should be informed as to how public input has been incorporated in the Class EA process to date.

As with the second mandatory contact, the consultation method(s) used for the third mandatory contact will vary from undertaking to undertaking. Once determined, these consultation events must be publicized, using notice forms to be found in Appendix 4, Items 6a and 6b. The notification process should be similar to that used in Steps C2 and C5, although it is not necessary to notify review agencies and members of the public who have indicated that they have no further interest in the undertaking.

STEP C11: Select Preferred Alternative Method

When the results of the consultation process are known, the analysis in Step C7 is repeated to incorporate the results of the consultation process, and a preferred alternative method of accomplishing the undertaking can be identified.

STEP C12: Management Plans and Monitoring Programs

If the undertaking has the potential to adversely affect the ecological features or functions of an ESA, an Environmental Management Plan (EMP) is necessary, and should be prepared at this stage. If the undertaking has the potential to adversely affect an MBS Heritage Property, a Cultural Heritage Management Plan (CHMP) is necessary and should be prepared at this stage. Depending upon its length, the EMP or CHMP may be incorporated within the ESR text, appended, or attached as a separate document. The contents of an EMP are described in Section 7.3 and the contents of a CHMP are described in Section 7.4.

Similarly, if an environmental monitoring plan is considered necessary for the undertaking, it will be developed at this stage, and will be incorporated in the ESR. Monitoring plans are most common in situations where construction activity takes place, or where hazardous or toxic materials are involved. The need for monitoring is determined through the examination of potential effects and proposed mitigation measures. The purpose and application of a monitoring program is discussed in Section 7.2.

The costs and responsibility for developing and implementing a monitoring program must be clearly set out and approved by the proponent before being presented in the ESR. If the proponent is not to be responsible for all aspects of the monitoring program, this must be established and agreed to prior to writing the ESR.

STEP C13: Complete Environmental Study Report

The ESR provides a record of the process, analysis and results obtained. The required format and content of an ESR are set out in Appendix 6.

While it is not necessary for every Class EA to have the same level of detail and emphasis in each of its chapters, it is important to adhere to the basic format and address the key points under each heading.

The ESR should contain any necessary supporting appendices.

STEP C14: Notice of Completion of the Environmental Study Report

Once the ESR has been completed and is in final draft form, the review agencies and public participants consulted in Step C8 must be notified by letter to advise that the ESR has been placed on the public record and is available for a 30 calendar-day review. The announcement should also include a notice of an individual's or organization's right to request a Part II Order (see Section 9.3). A copy of the Notice of Completion will also be sent to the appropriate MOE Regional Office and placed in newspapers with circulation throughout the general area in which the undertaking is occurring.

Since MBS is usually the proponent, the ESR should be kept on public record at MBS or ORC regional or district offices, as well as at local libraries and, in some instances, local municipal offices, as applicable. The form and content of this notice is presented in Appendix 4, Items 7a and 7b.

STEP C15: 30-Day Review (FOURTH MANDATORY CONTACT)

This is the 30 calendar day review period. During this time members of the public may review and comment on the ESR.

STEP C16: Resolution of Issues and Concerns

If, after the review period specified in STEP C15, no objections have been received, the undertaking can proceed (Step C19). If there are significant concerns raised, or shortcomings in the assessment are identified, it is the responsibility of the proponent to contact the objector(s) and resolve the concern(s). A record of all issues and concerns raised will be kept as part of the project file. The record will show how the issue or concern was addressed and whether the matter was resolved between the objector and the proponent. Depending upon the outcome of these consultations, the ESR can proceed to be approved, the ESR may require modification to address the identified concerns or the objector may request a Part II Order as noted in STEP C13. A Part II Order must be filed within the 30 day review period only after the proponent and the objector have failed to resolve the concerns.

STEP C17: Modifications to ESR

If it is determined that the objections are valid, and it is agreed that the problem can be resolved with a modification to the ESR, the ESR will be modified accordingly and the undertaking can proceed as modified.

STEP C18: Part II Order Resolution

If a Request for a Part II Order under the *EA Act* is received by the Ministry of the Environment, the Minister will make one of the following decisions:

- Deny;
- Deny with conditions;
- Refer the matter to mediation; or
- Comply with the Part II Order.

Further information on the Part II Order and the Minister's decision is provided in Section 9.3.

STEP C18: Statement of Completion of the Environmental Study Report - Project Proceeds

Once the Class EA process is complete, and no Part II Order requests have been received, or the Minister has made a decision about Part II Order requests, a Statement of Completion of the ESR will be submitted to the Director of the EAAB to formalize the completion of the process. The Statement of Completion will indicate that the Class EA process is complete and that the provisions and conditions of the Class EA have been adhered to. A sample the Notice of Completion of the ESR is found in Appendix 4. The undertaking may proceed as planned.

6.0 CATEGORY D UNDERTAKINGS - INDIVIDUAL ENVIRONMENTAL ASSESSMENT

Undertakings in this Category have the potential for significant and undetermined environmental effects, or public concern and must follow an Individual Environmental Assessment (EA) procedure. The decisions leading to the classification of MBS undertakings as Individual EAs are complex, and are unrelated to the undertaking's size or cost alone. Often, controversial processes, land uses, waste streams or negative public perceptions are associated with this type of undertaking.

STEP D

Category D undertakings call for an Individual EA, which is beyond the scope of this document. Descriptions of the methodology and documentation requirements are available from the Ministry of the Environment. Please contact the Ministry of the Environment at:

Ontario Ministry of the Environment
Environmental Assessment and Approvals Branch
Floor 12A, 2 St. Clair Avenue West
Toronto, Ontario
M4V 1L5
Phone: 416-314-8001
Fax: 416-314-8452
Web site address: http://www.ene.gov.on.ca

7.0 MITIGATION AND MONITORING

Mitigation is the process of avoiding, eliminating, offsetting or reducing to an acceptable level the potential impacts of an undertaking. It can also include rehabilitation or enhancement, where feasible. With some projects, monitoring of project effects may also be required in order to verify the effectiveness of the mitigation measures, or to verify the predicted impacts. Section 7.1 deals with mitigation, while Section 7.2 addresses monitoring. In addition, Section 7.1.3 provides a list of typical guidelines and references that may be useful to a proponent in the design of mitigation and monitoring programs for any individual undertaking.

7.1 Mitigation

The best approach to mitigation is a pro-active one. This involves identifying potential project impacts very early on in the planning process (typically, during the preliminary design stage) and avoiding them, or building a solution into the design from the start, so that no further mitigation measures are required. For example, where there are early indications that a site may require a substantial amount of mitigation or mitigation measures may not be practical for a variety of reasons, it may be advisable to consider alternative sites. In addition, the rehabilitation of environmentally degraded conditions, which may happen to exist on a site prior to the undertaking, is encouraged.

In cases where impacts cannot be avoided, additional mitigation measures may be required to minimize or offset these impacts. These measures will be applied during the construction and/or operations phases.

All mitigation measures must be clearly documented.

7.1.1 Typical Mitigation Measures

Generally, mitigation measures may include modifications to the project design, modification to the process or outputs of a facility or other measures to minimize impacts.

The approaches to environmental protection which may be considered for an undertaking may be determined from sources such as:

- government environmental policy documents;
- manuals, guidelines and standards prepared by government agencies and the proponent;
- standard environmental "good practice";
- consultation with government agencies, the public and interest groups; and
- project-specific approaches developed by the proponent.

Section 7.1.3 provides a list of typical guidelines and references that may be useful for a proponent in developing mitigation measures specific to a particular undertaking.

Examples of typical mitigation measures include:

- employing noise and dust control measures to minimize disruption to adjacent residents;
- the use of buffers and setbacks to avoid disturbance to wooded areas and water crossings;
- the use of sediment and erosion control measures to avoid surface water sedimentation;
- implementation of seasonal constraints on construction to avoid spawning periods for fish;
- planting of vegetation to replace vegetation that had to be removed;
- notification of adjacent owners of construction scheduling;
- stripping and stockpiling topsoil separate from subsoil;
- avoidance of the heritage resource portion of a site;
- arranging with the local municipality to designate an MBS Heritage Property under Part IV of the *Ontario Heritage Act* before it is sold; and
- refurbishment rather than replacement of windows in an MBS Heritage Property.

7.1.2 Mitigation During Project Construction

Many projects under this Class EA will be undertaken by a contractor who has been successful in a competitive bidding process. Contractors differ in their approach to sequence of operation, construction techniques, equipment used and construction schedule. Since the operations of the contractor may have the potential for environmental impact, provisions which indicate what can or cannot be done during specific operations should be included in the construction contract. Unforeseen problems which arise on-site should be addressed, and the proponent must act to ensure that changes to the contract do not cause negative environmental impacts.

Staff responsible for inspecting the contractor's work must be made aware of such provisions in order to ensure compliance during construction. The proponent is responsible for ensuring that site inspectors enforce compliance with the environmental provisions.

7.1.3 Typical Guidelines and References

The following is a list of typical guidelines and references that may be useful for a proponent:

- Provincial Policy Statements;
- Ministry of Citizenship, Culture and Recreation (now the Ministry of Tourism, Culture and Recreation), Guideline on the Man-made Heritage Component of Environmental Assessment;
- Ministry of Citizenship, Culture and Recreation and Ministry of the Environment , Guideline for Preparing the Cultural Heritage Resource Component of Environmental Assessments (1992);
- Ministry of Citizenship, Culture and Recreation, Archaeological Assessment Technical Guidelines: Cultural Heritage Resource Conservation in the Ontario Land Use Planning Process, Stages 1-3 & Reporting Format (1993);
- Ministry of Citizenship, Culture and Recreation, Eight Guiding Principles in the Conservation of Heritage Properties;
- Ministry of Citizenship, Culture and Recreation, Conserving a Future for Our Past: Archaeology, Land Use Planning and Development in Ontario;
- Ministry of the Environment, Guidelines for Sanitary Sewers, Storm Sewers, Water Distribution, Adverse Conditions, Small Water Systems, and Seasonal Water Systems;
- Ministry of the Environment, Guidelines for Use at Contaminated Sites in Ontario;
- Ministry of the Environment, Guidelines - Noise Assessment Criteria in Land Use Planning;
- Ministry of the Environment, Stormwater Quality Guidelines for New Development;
- Ministry of the Environment, Standard Specifications for the Construction of Sewers and Water Mains;
- Ministry of Natural Resources, Environmental Guidelines for Access Roads and Water Crossings;
- Ministry of Natural Resources, Environmental Quality Implementation Handbook for Dams, Dykes, Shore Line and Stream Bank Stabilization, Water Excavation, Etc.;
- Ministry of Natural Resources, Urban Drainage Guidelines;
- Ministry of Transportation, Environmental Construction Guidelines for Ministry of Transportation Projects;
- Ministry of Transportation, Environmental Reference Book Series; Historical Resources (Vol 4B), Archaeology (Vol. 4C), etc.;
- Municipal Engineers Association, Environmental Construction Guidelines for Municipal Road Sewer and Water Projects;
- Ontario Hydro, Environmental Guidelines for the Construction and Maintenance of Transmission Facilities; and
- Ontario Hydro, Environmental Construction Guidelines for Hydroelectric Facilities.

Conservation Authorities and local municipalities should also be contacted for other relevant guidelines and references.

7.2 Monitoring

7.2.1 Purpose and Application of Monitoring Programs

Monitoring is a component of an overall impact management plan. If monitoring is not consistently carried out on all projects, a true sense of the effectiveness of mitigation measures cannot be gained. Monitoring activities should be appropriate for each undertaking and the effects and mitigation measures that are being monitored. Monitoring programs may be required over several years. Monitoring should determine such things as whether the predicted / anticipated environmental effects occurred, whether mitigation measures were responsive, and whether unanticipated environmental effects occurred, for each particular project. Monitoring could be included as a condition of sale for a property to ensure protection of its environmental resources.

Specifically, monitoring has several purposes, including:

- to ensure compliance with commitments made in the EA;
- to establish how well the predictions made during the assessment period reflect what really happens during implementation; and
- to evaluate the effectiveness of mitigation measures.

If monitoring indicates that mitigation measures have not been as effective as anticipated, modifications to existing mitigation measures or new measures may be required. If this is the case, changes to mitigation measures should be documented.

In the monitoring section of the Environmental Study Report (ESR), the proponent must either state specifically that a monitoring program is unnecessary, and give reasons for this, or must propose a monitoring program and document it in the ESR. The proponent should:

- define the objectives of the monitoring program;
- identify which parameters will be monitored during construction and operational stages of the undertaking;
- outline the schedule of monitoring and reporting;
- describe the location of monitoring stations;
- describe the data collection methodology;
- describe the approach to analysis and evaluation; and
- describe the format, content of and specific responsibility for documenting the results of the monitoring program.

The documentation must be filed according to the schedule provided in the ESR. The documentation should consist of a record of events, conclusions drawn and recommendations regarding the compliance with, and likely effectiveness of, the proposed mitigation measures. This document can be submitted in stages, in conjunction with the completion of major components of the undertaking, such as following construction or the commencement of operations/occupancy.

All monitoring activities should be well documented in the project file for Category B projects and in the ESR for Category C projects. The monitoring documentation should be filed in the public record at the same location(s) as the ESR.

Monitoring of the effectiveness of the Class EA process and compliance with the Class EA are addressed in Section 9.8.

7.2.2 Construction and Operations Monitoring

At a minimum, monitoring during the construction period of a project should address the following:

- the handling, use and storage of construction materials;
- the operation, servicing and storage of construction equipment, fuels and lubricants;
- the activities of construction crews in and around the site and the management of sanitary facilities for construction crews;
- post-construction clean-up, including rehabilitation of "borrow" pits and erosion prone areas; and
- the impacts of the facility under construction.

Monitoring during the operational period involves the assessment of "good housekeeping" practices, effluent and waste management and maintenance. It may also include assessments of the effectiveness of mitigation measures where identified Environmentally Significant Areas (ESAs) are involved.

7.3 Environmental Management Plans

An Environmental Management Plan (EMP) is a site-specific report, which in the context of the Class EA, is prepared as a part of the ESR process. Depending upon its length and contents, the EMP may either be incorporated into the text of the Consultation and Documentation Report or the ESR, contained within an appendix or attached as a separate report. An EMP will be required if it is determined, through previous studies, that a proposed undertaking may potentially have an adverse effect on the ecological features or functions of an ESA. The ESA may be located on the property adjacent to the undertaking. If this is the case, impacts on this ESA should be considered.

The EMP must provide specific guidance as to how the adverse effect will be assessed and managed, dealing with such topics as water quality, soil management, noise, air quality, habitat and access restriction.

The EMP is intended to be a focused document, providing greater detail on mitigation and monitoring measures to be implemented to reduce impacts.

The EMP must include a detailed description of the ESA, a large-scale plan of the ESA and a key plan locating the ESA within the overall site or environs, where applicable. In addition it must:

- discuss each major environmental component of the potential adverse impact in terms of probable cause and effect, proposed remedial measures and implementation schedule for these measures; and
- identify the responsible parties for the execution of environmental management measures, compliance monitoring, documentation and costs.

7.4 Cultural Heritage Management Plans

A Cultural Heritage Management Plan (CHMP) is a site-specific report which deals with the cultural heritage features of a given property. Depending upon its length and contents, the CHMP may either be incorporated into the text of the Consultation and Documentation Report of the ESR, contained within an appendix, attached as a separate report or required to be produced at a later date. A CHMP will be required if it is determined, through previous studies, that a proposed undertaking may potentially have an adverse effect on an MBS Heritage Property. The CHMP must provide specific guidance as to how the adverse effect will be avoided, dealing with such topics as features, qualities and relationships defining the heritage value of the property as identified in its Heritage Character Statement, the continuity of statutory protection of its heritage value, and public retention of its heritage information and site record. In addition, it must identify the party(s) responsible for carrying out and paying for mitigation and compliance monitoring, and set out documentation requirements for these activities.

8.0 PUBLIC CONSULTATION

Effective public consultation is an integral component of an environmental assessment (EA). This section contains an overview of the public consultation process for the Class EA. Specific details on the public consultation procedure for Category B undertaking - Screening Process are provided in Section 4.0 while further details for Category C undertakings - Environmental Study Report are provided in Section 5.0. Category A undertakings may proceed without formal contact with the public.

8.1 Definition of Public Consultation

Public consultation can be defined as the process by which interested and/or affected individuals and organizations both receive information on the proposed undertaking and provide input into the decision-making process. The overall purpose of public consultation is to provide opportunities for members of the public to contribute to and influence decisions relating to a particular undertaking. Public consultation programs offer a mechanism through which many different and competing views about an undertaking can be identified and resolved.

Public consultation involves a two-way flow of information between the proponent and those that may be interested in or may be affected by an undertaking. It is incumbent upon the proponent to provide accurate and understandable information to those being consulted, in order to establish a basis for informed and useful public input.

When conducted in advance of key decisions, public consultation can result in the identification of innovative ideas and perspectives, often leading to an improved undertaking. An effective consultation program can also provide a forum for identifying and resolving issues or concerns between the proponent and affected parties before final decisions are made and formal approval is sought. While it is not always possible to achieve consensus among all parties on every issue, it is quite likely that the issues of concern can be substantially reduced, allowing the proponent and external participants to focus their efforts on resolving the outstanding issues.

8.2 Legislated Requirement for Public Consultation

The *Environmental Assessment Act* (*EA Act*) requires proponents to consult the public, as part of their planning process. A proponent is also required to document both the consultation program itself, as well as the results of the consultation program.

8.3 Defining the Public

There is no single "public", but rather a number of "publics" that may wish to participate in a public consultation program. The identification of potential participants in a public consultation program should be undertaken at an early stage in the EA process. In the context of the Class EA process, public consultation generally entails some degree of interaction with the following:

- The General Public: individual members of the public who may be affected by or interested in a particular undertaking;
- Non-government Organizations (NGOs) and Special Interest Groups: public and private interest groups whose mandate or interest pertains to the undertaking;
- Aboriginals: Aboriginal organizations, as well as individuals, either living in the vicinity or having an interest in the undertaking;
- Government Review Agencies: municipal, provincial and federal government agencies that have an interest in an undertaking, and/or which have been designated to review EA documentation. A list of typical review agencies is included in Appendix 4; and
- The Client Agency: the agency requiring the services of the ORC.

8.4 Methods of Public Consultation

There are a variety of techniques that can be used to consult with the public including:

- open house;
- public information centre;
- workshop;
- public advisory committee;
- kitchen roundtable discussions;
- review of draft documentation and request for comments;
- interviews;
- newsletters and project updates;
- telephone hotline;
- Web-based consultation; and
- surveys and questionnaires.

The consultation method(s) selected for a particular undertaking depends on a number of factors, including the nature of the undertaking, potential participants, stage in the EA process and the characteristics of the study area. More "interactive" techniques (such as open houses or public meetings) are typically used to consult with the general public and special interest groups, while government agencies are generally involved in the review of draft documentation.

8.5 Guidelines for Consultation

The following are guidelines to be considered in developing and implementing public consultation programs:

1. Initiate public consultation as early in the EA process as possible, ideally at the point where meaningful information on the project can be provided.

2. Ensure that there is a range of consultation opportunities so that all interested parties have a chance to participate.

3. Ensure that project information is made available in a timely manner and that there is adequate time provided to review and respond to project information. A proponent should also ensure that adequate and timely notification is given for consultation events.

4. In cases where disagreement or conflict arises, consider the use of alternative dispute resolution methods such as mediation to resolve issues.

5. Objectives for public consultation should be established at the outset of the EA planning process. Clearly articulated objectives help to provide a strong foundation for the design and implementation of a consultation program. In addition, potential participants must be informed as to how their input will be incorporated in the planning process.

6. The proponent should be flexible in implementing a public consultation program and in conducting consultation events. With certain undertakings, it may become apparent that additional consultation methods should be used, such as in the case of an undertaking which generates a high degree of public interest. Proponents should also be prepared to alter the format or agenda of consultation events should this be determined to be desirable.

7. It is the proponent's responsibility to ensure that proper notice is given for all consultation opportunities and that adequate time is provided for members of the public and government agencies to review EA documentation.

8. Background or study-related materials which are prepared for review by the public, such as newsletters or background papers, should be written in clear and concise language in order to facilitate useful and informed feedback.

9. A commitment by the proponent to listen to and record issues as they are raised is vital to the success of any public consultation program. Concerns raised by members of the public and review agencies must be treated seriously and be fully documented. Where possible, issues should be recorded using the same terminology as the person who raised them and circulated to participants for review and comment.

10. Consultation activities concerning ORC realty undertakings must comply with the *French Language Services Act*, as applicable.

11. For certain undertakings, there may be both *EA Act* and *Planning Act* public consultation requirements. Every possible effort should be made to combine the two consultation programs, as well as any associated notification, reporting and documentation, where this is in compliance with the applicable legislation. To initiate such a combined program, the proponent should convene a coordination meeting early in the study process, including the relevant study personnel and provincial and municipal officials, to define a common schedule and agenda for public notifications and consultation sessions, as well as details of technical activities and documentation which could achieve the requirements of both Acts.

8.6 Public Notices

Public Notices will provide details about upcoming public meetings, information centres or workshops or advise of the availability of project documentation for review and comment.

The following should be considered for inclusion in Public Notices:

- Name and address of proponent;
- A brief description of the undertaking, along with a rationale for the undertaking;
- Reference to the project following the requirements of this Class EA;
- Details of when and where consultation events will be held;
- Details of when and where information will be available to the public;
- Name and contact information for person to be contacted for questions or comments;
- Date by which input or comments are to be received by the proponent; and
- Advise of the public's right with regard to the provisions to request a Part II Order, including the date by which the request must be received by the Minister and the address of the Minister.

8.7 Resolution of Conflicts and Disputes

In cases where there are disputes or conflicts related to the undertaking or certain aspects of the undertaking, it is advisable for the proponent to work with the concerned party to resolve these issues. The following outlines some approaches for resolving conflicts and disputes.

Facilitation

Facilitation involves a third party to assist in the discussion of issues and concerns among the participants and to assist in arriving at mutually agreeable solutions. Facilitation refers to a flexible approach that encourages the open exchange of ideas and opinions. Facilitation requires listening carefully to hear what a person is really saying, ensuring others are receptive to what is being said, and encouraging all sides to work cooperatively in developing solutions. In some cases, facilitation may result in a consensus. In other cases, facilitation may at least result in a narrowed list of issues that remain to be resolved.

Negotiation

Negotiation is possible when all sides want resolution of the outstanding issues and are willing to engage in negotiations. A third party is not always necessary but may be helpful in assisting the proponent and interested parties to form their own positions and responses to what the other is proposing.

Negotiations often require those in dispute to consider trade-offs and compromise. Effective negotiation results in proponents and interested parties arriving at mutually agreeable solutions.

Mediation

Mediation may be required when the proponent and participants have reached the point where no further discussion is possible without the intervention of a neutral third party. Mediation is a process designed to facilitate parties to reach a consensus on how to resolve a dispute or conflict. This approach is used when the affected parties are willing to work together to try to reach a solution. Mediation is most successfully used when there are few parties and where there is a likelihood of reaching a consensus on an issue.

Arbitration

Arbitration is a technique involving a neutral third party, acceptable to all sides, who is retained to hear the positions of those in dispute and then issue a decision that resolves the conflict or dispute. The decision of the arbitrator is binding on all parties. Arbitration is a formal conflict resolution process and is used only when the proponent and interested parties cannot arrive jointly at an acceptable resolution. However, any decision of the arbitrator must comply with the requirements of the *EA Act*.

8.8 Consultation with Aboriginal Communities

ORC undertakings may affect areas traditionally used by aboriginal communities, subject to protected treaty or aboriginal rights, or subject to a land claim. The interests of aboriginals may be affected by the potential environmental effects of ORC undertakings carried out in traditional use areas. Aboriginal groups in the area of a proposed undertaking should be identified and a consultation plan should be devised on a project-by-project basis.

Consultation with aboriginal groups should be undertaken for all undertakings where they may be potentially affected. Aboriginal groups within an area that may be affected by a proposed undertaking should be contacted at the outset of the project, with additional opportunities throughout the assessment, as appropriate. Consultation should commence at the time of the initial project notification, and if required, a consultation program should be developed to address the interests of affected aboriginal communities.

Where aboriginal communities are located in an area that may be affected by or have an interest in the proposed undertaking, methods of consultation should be designed with the participation of the aboriginal communities potentially affected.

Useful contact and related information can be found at the following web sites:

Organization	Web Site Address	Useful Information Provided
Ontario Native Affairs Secretariat	http:/www.nativeaffairs.jus.on.ca	· Ontario's Aboriginal Policy Framework · information on land claims · Land Claim fact sheets · links to web sites pertaining to aboriginal affairs
Indian and Northern Affairs Canada	http://www.inac.gc.ca	· First Nation profiles · Information on land claims · treaty information · agreements
Chiefs of Ontario	http://www.chiefs-of-ontario.org	· Tribal Council and District Chiefs contact information
First Nation Information Project	http://www.aboriginalcanada.com/firstnation	· First Nation directory for Ontario

Organization	Web Site Address	Useful Information Provided
Ontario First Nations Technical Services Corporation	http://www.ofntsc.org	· map of Ontario's First Nations · Ontario First Nations and Tribal Council affiliation contact information

Constitutionally protected treaty and aboriginal rights may apply to provincial Crown lands. Environmental impacts from a project may affect constitutionally protected aboriginal rights. Any environmental impact that may interfere with or infringe on these rights has to be justified. In cases where there is a potential for undertakings to affect treaty or aboriginal rights, consultation would be undertaken with the intent to reach agreement on an acceptable course of action.

Land claims may affect Crown lands, as well as other lands, including those within urban settings and aboriginal communities. The Ontario Native Affairs Secretariat (ONAS) and Indian and Northern Affairs Canada (INAC) should be contacted to determine whether a land claim is relevant to a proposed undertaking.
ORC will seek advice from ONAS regarding consultation and negotiation with aboriginal governments, as required. INAC may also be contacted for guidance.

9.0 REGULATORY PROVISIONS

This section describes regulatory requirements and procedures applicable to the Class EA. It deals with time limits for phase-in and approvals; request for a category elevation; Request for a Part II Order; integration with the Planning Act; hearings and other applicable legislation; acquisition and optioning of land; proponency, transferability of Class EAs and other approvals under the *Environmental Assessment Act (EA Act)*; monitoring, evaluation and reporting; and amendment procedure for MBS Class EA.

9.1 Time Limits for Phase-In and Approvals

9.1.1 Phasing-In of the MBS Class EA (2001)

The use of the former MBS Class EA (1992) document will apply to undertakings being initiated within three years of the approval of this Class EA if an environmental assessment (EA) was completed and approved using the former (1992) MBS Class EA. For those undertakings assessed under the former Class EA and not initiated within three years of the approval of this Class EA, the former EA will not be valid and a new EA will be completed by the proponent using this (new) Class EA to reassess the undertaking.

9.2 Request for a Category Elevation

A person or party with a concern about a particular undertaking should bring this concern to the attention of the proponent as early as in the Class EA process as possible. The proponent and the person or party should attempt to resolve the concern. If a concern cannot be resolved through discussions with the proponent, the person or party raising the concern may request, in writing, that the proponent voluntarily elevate the undertaking to a higher EA Category (i.e., a Category Elevation - elevate a Category B to a Category C or to an Individual EA). If the proponent declines and the person or party wishes to pursue the matter further, they may write to the Minister of the Environment and request a Part II Order. The procedures for a request for a Part II Order are outlined in Section 9.3.

Ideally, requests for Category Elevations would be submitted to the proponent early in the planning process. This provides the opportunity for the proponent to address and resolve the issues and concerns, or voluntarily elevate the EA Category, before a request for a Part II Order is made. In addition, a request for a Category Elevation prior to a request for a Part II Order allows the proponent to complete the planning exercise and provide the public with a documentation of the process and conclusions.

A Category Elevation is entirely the responsibility of the proponent, while a Part II Order is dealt with by the MOE and the Minister of the Environment.

9.3 Request for a Part II Order

9.3.1 Definition

Under the provisions of subsection 16 of the *Environmental Assessment Act*, there is an opportunity under the Class EA planning process for the Minister to review the status of an undertaking in response to issues and concerns raised with respect to the undertaking. Members of the public, interest groups and review agencies may request the Minister to require a proponent to comply with Part II of the *EA Act* (which addresses individual EAs), before proceeding with a proposed undertaking. This is known as a Part II Order.

A Part II Order is a request to subject an undertaking to a Category D (Individual EA), if potentially adverse effects are suspected, or serious public concern exists. A Part II Order can be requested by any agency, special interest group or individual. Requests for a Part II Order cannot be frivolous, vexatious or have the potential of causing undue delay.

The receipt of a formal (written and signed) Request for a Part II Order will effectively stop all irreversible action on the undertaking. The proponent should not make any new land acquisitions or sales, or proceed with any other irreversible measures until the Part II Order issue has been resolved.

Members of the public should bring concerns to the attention of the proponent as early in the planning process as possible. However, in order to ensure that the proponent's evaluation of the environmental impacts and the mitigation measures being proposed are fully understood by all stakeholders, members of the public with concerns should be advised not to make a request for a Part II Order until the project planning is complete. A request for a Part II Order must be initiated within 30 days following the production of the Consultation and Documentation Report or the ESR and the issuance of the Notice of Completion.

Areas where a Part II Order may be warranted include:

- inadequacy of the public consultation process;
- basic information gaps;
- narrowness of, or significant omissions to, the alternatives;
- unsuitability of the undertaking to the "class" process; and
- potential for significant negative environmental effects that cannot be mitigated.

9.3.2 Procedure to Request a Part II Order

A written request for a Part II Order must be submitted to the Minister within the 30 calendar day review period after the Notice of Completion has been issued. A request for a Part II Order shall be copied by the requestor to the proponent at the time of submission to the Minister.

It is recognized that the resolution of concerns directly between the proponent and the person or party raising the concern is preferable to having the Minister make a decision to require the proponent to comply with Part II of the *EA Act*.

It is the proponent's responsibility to ensure proper notification to the public of their legal right of review under this Class EA (see Public Notices in Appendix 5). Failure to satisfy this requirement may result in the Minister ordering an additional period of public review, with appropriate notification, or could result in the Minister accepting a request after the 30 calendar day review period.

A request to the Minister must be in writing and, at a minimum, must: clearly state that a request for a Part II Order is being made; clearly state the reason(s) for the request; and provide any other relevant information that may be required for the Minister to make a decision. In many cases, the requester will be asked to provide clarification or additional information once the request is received by the MOE.

On receipt of a request by the Minister, the Minister or the EAAB shall advise the proponent of the receipt of the request. The proponent will be required to make a submission to the EAAB addressing the issues raised in the request for a Part II Order. In some cases, a proponent may feel that all Class EA requirements have been fulfilled but because of the concerns raised, the scale of the project or the environmental effects associated with the project, further review is warranted. In these cases, the proponent can decide to carry out an individual EA and advise the Director of EAAB in writing. The Director will then advise the requester of the Part II Order that an individual EA is to be done.

Upon receipt of a request for a Part II Order, the EAAB has 45 calendar days to review the information and prepare recommendations for the Minister's consideration. The 45 calendar day period will commence after the 30 calendar day public review period lapses.

In the event that there are critical deficiencies in the documentation prepared by the proponent, the Director of the EAAB may require the proponent to submit additional information. At this point, the remainder of the 45 calendar day period no longer applies. Within 21 calendar days of the receipt of the additional information, satisfactory to the Director, the EAAB shall make a recommendation to the Minister.

Requests which are clearly made with the intent of delaying project planning and implementation, or which do not contain a reasonable amount of information, may be denied by the Minister on the basis of being frivolous or vexatious.

If a request for a Part II Order is submitted to the Minister, the ORC may ask that consideration of the request be suspended in order for the ORC to resolve the issues and concerns with the party that submitted the request.

After the request is submitted, it is the requester's responsibility to withdraw the request if their concerns are subsequently addressed through further discussions with the proponent. Such withdrawals should be in writing to the Minister and should be copied to the proponent. The Director of the EAAB may accept and may act upon such withdrawals on behalf of the Minister.

9.3.3 Minister's Decision

Upon receipt of a recommendation from the EAAB, the Minister shall consider the request and make a decision within 21 calendar days. The proponent may continue to plan an undertaking but cannot implement any part of it until the Minister's decision has been made.

In considering a request, the Minister shall give consideration to, but not limited to, the following issues:

- extent and nature of public concern;
- potential for significant adverse environmental effects;
- need for broader consideration of alternatives by the proponent;
- nature of the request; and
- degree to which public consultation and dispute resolution have taken place.

The Minister shall make one of the following decisions as described in Section 16 of the *Environmental Assessment Act*:

Decision 1 - Deny

There are two options for the Minister to deny the request:

1. If the Minister decides to deny the request, the Minister will inform the requester and the proponent of the decision, stating reasons for the decision. The project may then proceed.

2. In some cases, the Minister's decision to deny may include certain conditions. The Minister will inform the requester and the proponent of the decision, stating the reasons and conditions. The undertaking may then proceed, subject to any such conditions.

Decision 2 - Refer the Matter to Mediation

Under the provisions of subsection 16(6) of the *EA Act*, the Minister may refer the matter to mediation. In this case, the provisions of Section 8 of the *EA Act* will apply.

Decision 3 - Part II Order

If the Minister requires the proponent to comply with Part II of the *EA Act*, the proponent and requester will be informed with reasons. The Minister may:

1. Set out directions with respect to the terms of reference governing the preparation of an environmental assessment for the undertaking (subsection 16(2)1 of the *EA Act*);

2. Declare that the proponent has satisfied such requirements for the preparation of an environmental assessment, as are specified in the order (subsection 16(2)2 of the *EA Act*).

The Part II Order provisions of this Class EA apply only to undertakings described in, and to be approved under, this document. These Part II Order provisions specifically do not apply to any undertakings which have been approved, or are about to be approved, under any individual EA, any other approved Class EA, or any Declaration Order, under the *Environmental Assessment Act*.

9.4 Integration with the *Planning Act*

Some undertakings that are subject to this Class EA will also proceed for approvals under the *Planning Act*. These are primarily Category B undertakings which consist, for the most part, of buildings and planning approvals. The planning and approvals processes under the *EA Act* and the *Planning Act* should be coordinated and integrated, as long as the intent and requirements of both Acts are met. Integration will streamline the planning and approvals process and improve environmental protection.

Using an integrated approach provides the proponent with increased flexibility, however, it requires that the proponent accurately reflect the needs of the Class EA process in the *Planning Act* application. Likewise, the proponent is responsible for ensuring that the planning process under the *Planning Act* meets the intent of this Class EA.

Where this document and the *Planning Act* both require a public consultation program for the same undertaking, ORC will attempt to coordinate both consultation programs in one process.

ORC will not revisit *Planning Act* approvals unless new information or environmental practices and standards have arisen since the granting of the *Planning Act* approval.

The MBS voluntarily binds itself to subject all undertakings, where applicable, to the full requirements of the *Planning Act*, in addition to the requirements of the Class EA, except in cases of consents leading to transfers of land:
from MBS or Government agencies or Government related agencies,
to other Government or Government related agencies,
when both parties involved in such transfers intend to keep the land in government use.

In this context, 'Government' means:

- the Government of Ontario and any ministry or agency thereof;
- the Crown in right of Ontario and any agency thereof; and
- 'Government related agency' including:
    - every municipality in Ontario as defined in the *Municipal Affairs Act, the Municipal Act*, and the *Regional Municipalities Act*, including metropolitan, county, regional and district governments, and municipal bodies.
    - Every university in Ontario, every college of applied art and technology and every post secondary institution in Ontario;
    - every school board as defined in the *Education Act*;
    - every hospital listed in the Schedule to the Classification of Hospitals Regulations made under the *Public Hospitals Act*, every private hospital operated under the authority of a license issued under the *Private Hospitals Act*, Including:
        - Community Health Centres
        - District Health Councils
        - Public Health Units
        - OHIP Offices, and
        - Community Care Access Locations.

MBS will not exercise any general authorization for government uses in a zoning by-law or other similar land use control, consent or variance, unless requested to do so by the respective municipal council."

Notwithstanding its commitment to abide by the requirements of the Planning Act, MBS may "invoke Crown Right" (i.e. exercise the authority of the Crown given to the Minister under Sections 50 and 53 of the Planning Act) to sever property when it conveys (or transfers) the severed property to other agencies of government if the intent is to keep the land in public use.

9.5 Hearings and Legislation

The Class EA process is a self-assessment process. Therefore, the undertakings in a Class EA are not normally subject to hearings. All undertakings within a Class EA are approved, provided that the planning process in the document is followed. However, some of the undertakings in a Class EA may be elevated to an individual EA

(Category D), in which case the Minister of the Environment may refer to the application, or part of the application, to the Environmental Review Tribunal for a hearing.

Although Category D procedures are beyond the scope of this document, Section 9.5.1 provides an overview of the *Consolidated Hearings Act*.

9.5.1 *Consolidated Hearings Act*

Three other Acts where undertakings proceeding under this Class EA may frequently require public hearings are the *Planning Act*, *Expropriations Act* and *Ontario Municipal Board Act*. Where it appears likely that more than one hearing will be required under these three Acts, or any other acts listed in the *Consolidated Hearings Act*, a consolidated hearing can be requested under the jurisdiction of the Environmental Review Tribunal. In such cases, the issues raised under the individual acts would be jointly resolved at the consolidated hearing.

9.5.2 Other Applicable Provincial Legislation, Regulations, Plans and Guidelines

In addition to the requirements of this Class EA under the *Environmental Assessment Act*, ORC realty undertakings must comply with all other applicable legislation. The following are examples of legislation, regulations, plans and guidelines which may apply to ORC undertakings (but are not necessarily limited to):

- Regulations 334, 345 and 347;
- *Environmental Protection Act;*
- *Planning Act*;
- Provincial Policy Statement;
- *Building Code Act*;
- *Endangered Species Act*;
- *Ontario Heritage Act* (as accommodated by the MBS Cultural Heritage Protocol Agreement);
- *Ontario Planning and Development Act*;
- *Ontario Water Resources Act*;
- *Ontario Parks Act;*
- *Cemeteries Act;*
- *Aggregate Resources Act*;
- *Occupational Health and Safety Act;*
- *Drainage Act;*
- *Health Act;*
- *Expropriations Act;*
- *Lakes and Rivers Improvement Act;*
- *Niagara Escarpment Planning and Development Act*;
- Niagara Escarpment Plan;
- Implementation Guidelines: Provincial Interest on the Oak Ridges Moraine Area of the Greater Toronto Area (June 1991);
- Parkway Belt West Plan;
- *Public Lands Act*;
- Food Land Guidelines and Agricultural Code of Practice; and
- *Mining Act*.

The above list provides examples only. The proponent must determine which legislation, regulations, plans and guidelines apply. Approvals under the *EA Act* must be obtained prior to approvals under any other legislation and regulation.

Section 9.4 outlines federal legislation that may apply to ORC undertakings.

9.5.3 Federal Legislation

Canadian Environmental Assessment Act

Projects that are subject to this Class EA may also be subject to the requirements of the *Canadian Environmental Assessment Act* (*CEAA*). Under the *CEAA*, federal departments are required to conduct an environmental assessment of projects for which they are the proponent, provide funds or lands to facilitate the project, or exercise a regulatory duty that is described in the *CEAA* Law List Regulation, in relation to the project. These are known as "triggers" to the *Act*. The federal department undertaking the environmental assessment is referred to as the Responsible Authority (RA).

The Canadian Environmental Assessment Agency administers the *CEAA* and in doing so provides advice, guidance and training to federal departments, proponents, the public and others related to the implementation and requirements of *CEAA*.

The following provides a brief overview of the *CEAA* requirements. This information is not all inclusive and is provided for information purposes only, to aid proponents in identifying and understanding potential *CEAA* requirements. For specific details, refer to the legislation and the Canadian Environmental Assessment Agency's Responsible Authority's Guide (November 1994). Copies of the legislation and associated regulations, as well as other helpful reference materials, are found on the Agency's web site at: http://www.ceaa.gc.ca. The Agency also offers training courses on the *CEAA* and the planning and conduct of environmental assessments subject to *CEAA*. Details on these training courses are also found on the Agency's web site.

Table A in Appendix 9 provides further details on identifying federal departments who may have an interest in a project subject to this Class EA. These departments should be contacted as early as possible in the project planning process. Detailed contact information can be obtained from the Ontario Region Office of the Canadian Environmental Assessment Agency (see below). In addition, Table B in Appendix 9 outlines potential CEAA triggers, along with an associated listing of RAs.

Where there is a trigger, the federal RA assesses the project in accordance with the requirements of the CEAA. Under CEAA, it is the RA's responsibility to establish the scope of the project and the scope of the assessment. Proponents of this Class EA, however, may suggest the scope of project and the scope of assessment. The RA may agree or require that additional information or issues are addressed.

An objective of the Canadian Environmental Assessment Agency is to ensure that where a project is subject to both federal and provincial environmental assessment requirements, the environmental assessment be coordinated and guided by the principal of one project - one assessment. Therefore, for a project that is subject to this Class EA, and that also requires an assessment in accordance with CEAA, the intent is that one assessment would be undertaken to meet the requirements of both processes. The Ontario Region Office of the Canadian Environmental Assessment should be contacted for further details (see below).

While it is often possible to use the ESR prepared under this Class EA as the basis for the CEAA assessment, it should not be assumed that the ESR will always be sufficient or acceptable in all cases. Some additional information may have to be incorporated depending on what the RA requires to meet CEAA requirements. The proponent should, therefore, contact the RA early in the process to confirm requirements for the assessment.

In cases where a permit or licence is required, a trigger may not be confirmed until the later stages of the planning process. Proponents are, therefore, encouraged to contact federal authorities with a potential interest in the project early in the planning process to discuss potential issues related to the environmental assessment.

To determine whether your project is subject to the *CEAA* and to obtain further details on the requirements and implementation of *CEAA*, please contact:

Regional Director
Ontario Region Office
Canadian Environmental Assessment Agency
55 St. Clair Avenue East
9th Floor, Room 907
Toronto, Ontario
M4T 1M2

Phone: 416-952-1576
Fax: 416-952-1573
E-mail: ceaa.ontario@ceaa.gc.ca

The two most common regulatory triggers for *CEAA* involve approvals under the *Fisheries Act* and the *Navigable Waters Protection Act*. Further details on these two pieces of legislation are provided below.

Fisheries Act

Any works which occur in or near water may require authorization under the *Fisheries Act*. The federal *Fisheries Act* provides protection for fish and fish habitat. Under the habitat provisions of the *Act*, no person shall carry out any work or undertaking that harmfully alters, disrupts or destroys fish habitat, unless authorized by the Minister of Fisheries and Oceans Canada. Authorization under section 35(2) of the *Fisheries Act* protects an individual from prosecution under the *Act*, provided the conditions of the authorization are met. A section 35(2) *Fisheries Act* authorization is a regulatory trigger for an environmental assessment under the *CEAA*.

Contact with the Conservation Authority and Ministry of Natural Resources under provincial regulations should identify the need to contact Fisheries and Oceans Canada. These agency contacts should be made early in the planning process. Information on the *Fisheries Act* and Fisheries and Oceans Canada's Policy for the Management of Fish Habitat are available on the Internet at: www.ncr.dfo.ca.

It should be noted that Fisheries and Oceans Canada can withhold authorization. Therefore, proponents are urged to address this issue early in the Class EA process.

Navigable Waters Protection Act

Any project that has the potential to affect the navigability of a navigable waterway requires a permit under the *Navigable Waters Protection Act*. This in turn would trigger the requirement for an assessment in accordance with the CEAA. To determine whether or not a waterway or watercourse is considered to be navigable, proponents should contact the Department of Fisheries and Oceans - Coast Guard.

9.5.4 Compliance with French Languages Services , Revised Statutes of Ontario, 1990, Chapter F.32

In carrying out its undertakings, the MBS Realty Group must comply with the requirements of the *French Language Services Act*, Revised Statutes of Ontario, 1990, Chapter F.32, as applicable.

9.6 Acquisition and Optioning of Land

Occasionally, MBS may find it necessary to option land, and even less frequently, to buy land, prior to completing a project-specific Class EA for the undertaking. However, where site optioning or acquisition does occur prior to or during a Class EA (Category A,B,C) or Individual EA (Category D) process, it is understood that MBS is "at risk" in assuming that the environmental issues or public concern associated with the acquisition of the land and its future programmed use can be adequately addressed. The act of optioning or purchase may not be used to justify any particular undertaking which may involve the property in question, or be given any standing or recognition in a hearing under the *Environmental Assessment Act* with regard to the undertaking. If environmental approval cannot be secured, MBS will have to give up the option, resell the property, or find some other more suitable use.

9.7 Proponency, Transferability of Class EAs and Other Approvals under the *EA Act*

9.7.1 Responsibilities of Ontario Realty Corporation

Where ORC is planning to carry out an undertaking of a type described in the Class EA, ORC's responsibilities pursuant to this Class EA are as follows:

1. Where the undertaking is:

(a) subject to the *EA Act* and no other party has obtained, or intends to obtain, an approval, an Exemption Order or a Declaration Order under the *EA Act*; or

(b) for a client ministry/agency whose undertakings are not subject to the *EA Act*

ORC will follow the provisions of this Class EA.

2. Where the undertaking is of a type described by a client ministry/agency's approved Class EA or of a type cross-referenced in this Class EA to a client ministry/agency's Class EA, ORC shall abide by the provisions of the other Class EA and there will be no further application of the requirements of this Class EA.

NOTE: If the client ministry/agency does not have a Class EA process or Declaration Order that applies to the undertaking, the MBS Class EA would apply.

3. Where another client ministry/agency has obtained or intends to obtain an approval or a Declaration Order under the *EA Act*, there will be, with the exception of the remainder of this provision, no further application of the provisions of this Class EA. An exception to this provision will be in cases of an activity being carried out by ORC for a client ministry/agency whose undertakings have been exempted from the requirement to obtain approval under subsection 5(1) of the *EA Act* by provisions such as 6 and 7 of Ontario Regulation 334/94. This exception is necessary because while section 6 of the Regulation exempts the undertakings of a number of ministries, the combined effect of sections 6 and 7 is that for undertakings carried out by ORC on behalf of the listed ministries, ORC is responsible for meeting the requirements of the *EA Act*. In those cases, the provisions of paragraphs 1 or 2 above will apply.

   Where ORC is carrying out an undertaking in accordance with the preceding paragraph, ORC must:

- obtain written confirmation from the client ministry/agency responsible for meeting the *EA Act's* requirements that the appropriate requirements of the *EA Act*, or any applicable approvals or exemptions issued under the *EA Act*, have been satisfied and received instruction when ORC may legally proceed with the undertaking.
- ensure, in addition, through the above written confirmation, that any conditions of approval or exemption issued under the *EA Act* with respect to the component of the project that ORC will be undertaking, which is not fulfilled by the other party, can indeed be fulfilled by ORC in the course of its participation.

If these two conditions cannot be met, ORC should immediately contact the client ministry/agency and request it to resolve these outstanding issues before ORC proceeds further with the undertaking.

It is ordinarily assumed that where a client ministry/agency's undertaking must be subjected to an environmental assessment prepared in accordance with Part II of the *EA Act*, the client agency will carry out the Individual EA.

9.7.2 Use of Class Environmental Assessments of Client Ministries/Agencies

ORC will, in some cases, carry out, in whole or in part, undertakings for client ministry/agencies (such as MTO and MNR who have their own Class EAs). In such cases the client ministry/ agency may wish to apply their own Class EA. ORC remains responsible for ensuring that its activities are completed consistently with the client ministry/agency's Class EA.

When a client ministry/agency wishes to apply their Class EA/Declaration Order to an undertaking, ORC will follow the procedure outlined below.

1. ORC shall obtain written confirmation from the client ministry/agency that the client ministry/agency's Class EA/Declaration Order covers the proposed undertaking. The written confirmation should include copies of the relevant provisions in the client ministry/agency's Class Declaration Order supporting that position, where appropriate. Alternatively, a client ministry/agency should include a listing of the relevant provisions.

2. ORC will confirm in writing with the client ministry/agency whether it intends to carry out the Class

EA/Declaration Order process or wishes ORC to do so.

3. If ORC is to apply the client ministry/agency's process and the client ministry/agency has policies and procedures with respect to carrying out its Class EA/Declaration Order, ORC must use such policies and procedures to guide it in the EA work.

4. If the client ministry/agency is to carry out its Class EA/Declaration Order, then, once it is done, ORC should obtain written confirmation from the client ministry/agency that it has met the requirements of its Class EA/Declaration Order. If conditions result from the client ministry/agency meeting its Class EA/Declaration Order requirements, ORC should obtain copies of all conditions. Additionally, ORC should obtain confirmation that the client ministry/agency has complied with all such conditions. If the client ministry/agency has not complied with all conditions, ORC should obtain a complete list of all conditions not complied with. ORC should then ensure that it can meet the remaining conditions when carrying out the undertaking.

5. If there are any conditions which cannot be met or if ORC is unable to obtain written confirmation that the client ministry/agency's Class EA/Declaration Order has been met, the client ministry/agency will have to resolve the outstanding issues before ORC can proceed with the undertaking.

Item 8 in Appendix 4 provides a form entitled Procedure for the Application of Client Ministry or Agency's Class EA or Declaration Order. This form is to be completed and returned to ORC.

9.7.3 The MBS Class EA and Alternative Service Delivery Providers

Alternative Service Delivery (ASD) is a term used in government to describe the use of private firms, community or non-profit groups, volunteers or individuals to deliver public services. The ORC is currently faced with decreasing resources and increasing service delivery responsibilities. Consequently, ORC is turning to other non-traditional means of delivering services, involving the private sector. For the purposes of this Class EA, ASD means out-sourcing to private-sector service contractors, intergovernmental agreements, leasehold agreements and public/private sector partnerships to efficiently provide a given service. Where ORC continues to be the proponent of undertakings delivered through ASD mechanisms, the ASD provider is required to comply with the provisions of the Class EA.

9.7.4 Policies of Client Ministries/Agencies with Mandated Authority

Ministries and agencies often have approved policies and procedures for certain types of work, environmentally sensitive features, and unusual structures, etc., for which they have mandated provincial responsibility. If ORC undertakes work for any client ministry/agency, and the undertaking is subject to any such policies and procedures (see Section 9.5.2 for a partial listing), then these will provide guidance for the execution of the work. However, these guidelines do not supercede the provisions of this Class EA.

9.8 Monitoring, Evaluation and Reporting

While Section 7.2 addresses monitoring undertaken at a project or site specific level, this section addresses monitoring in terms of: (1) monitoring the effectiveness of the Class EA process and conditions of the Class EA; and (2) monitoring compliance with the Class EA, including provisions of the Class EA and conditions of approval of the Class EA. These two components of monitoring will be addressed in an annual report to be prepared by ORC, as outlined below.

An annual report shall be prepared and submitted to the Director of the Environmental Assessment and Approvals Branch within 90 days of the end of each reporting period. The annual report should include, as a minimum:

1. A statement of the effectiveness of the Class EA in providing an effective and efficient planning process, in protecting the environment and public consultation, among other relevant themes.

2. The identification of any amendments to the Class EA parent document or changes to proponent's practices and procedures that would serve to improve the Class EA itself or its administration.

3. The identification of any common problems experienced in the different Class EA projects that may suggest a problem in the Class EA parent document.

4. A statement by the proponent on how they have complied with the terms and conditions of the approval and the Notice of Approval (Order in Council) of the Class EA and the *EA Act*.

5. Action that the proponent has or will be proposing to take to deal with problems, deficiencies and non-compliance with the Class EA parent document.

6. A copy of the Notice of Approval (Order in Council) and any approved amendments to the Class EA parent document.

7. The findings and recommendations of internal audits or third party audits completed during the course of the year.

8. A summary of the percentage of Class EA projects planned in accordance with the Class EA parent document for which Part II Order requests were made to the Minister and the proponents. Of these, the number and percentages of requests that were granted, denied or denied with conditions and a description of how conditions were met.

9. A summary table listing all projects carried out following the Class EA parent document and a breakdown by classification and type (i.e., Category A, B, C and D). Projects which are "deemed approved" would not need to be reported. This would include routine or emergency operational activities, maintenance activities or administrative activities that have minimal environmental effects. The summary table should include the following information:
   location of the undertaking;

   - cost of the project (where applicable); and

   - breakdown of how many Class EA projects resulted in an Environmental Study Report (ESR) submission with dates and places of submission.

In addition, proponents are required to submit to the appropriate MOE Regional Office, one copy of the "Notice of Completion" for each Category B project and the "Notice of Completion of Environmental Study Report" for each Schedule C project. This will provide a record of projects undertaken within the province for use during the next review of this Class EA. A sample cover sheet to accompany the copy of the Notice submitted to the appropriate MOE Regional Office is provided in Appendix 5.

9.9 Amendment Procedures for the MBS Class EA

The purpose of an amendment procedure is to allow for the modification of the MBS Class EA. Proposed amendments may be undertaken to:

- provide clarification of process and procedures;
- amend the planning process to address areas where problems may have arisen; and
- make any necessary modifications following each 5-year review of the Class EA.

There may be proposed minor or major amendments to the Class EA. Proposed minor amendments are those amendments that do not substantially change the Class EA. For example, a change in wording to provide greater clarification would be considered as a proposed minor amendment. Proposed major amendments are those amendments that would substantially change the Class EA. An example of a proposed major amendment would include the introduction of new process or methodological requirements.

a) Proposed Minor Amendments

The following process will be used for proposed minor amendments:

1. A party will bring the proposed amendments in writing to the attention of MBS, describing the proposed amendment and providing a brief rationale for the proposed amendment. An amendment can be proposed by any government ministry or agency, or any member(s) of the public.

2. The MBS will notify the Director of the EAAB of the proposed amendment. The MBS shall provide to the Director comments regarding the validity, appropriateness and implications of, and the need for the proposed amendment. These comments will be provided within 30 calendar days of the notification given to the Director by the MBS. The Director may choose to discuss the proposed amendment in more detail with the MBS.

3. Prior to making a decision about the proposed amendment, and if the Director is of the opinion that it is warranted, the Director may require that the MBS consult with directly affected ministries, agencies and members of the public. If the Director finds the proposed amendment necessary and acceptable, a Notice of Proposed Amendment shall be issued on the Environmental Bill of Rights Registry. A period of at least 30 calendar days will be allowed for interested parties to comment.

4. If consultation is carried out and concerns are raised about the proposed amendment, the MBS must demonstrate to the Director's satisfaction that the concerns have been, can be or will be addressed.

5. Director's Decision:

    a. If no consultation was required, the Director shall make a decision to approve the proposed amendment, approve the proposed amendment with modifications, approve the proposed amendment with conditions, or deny the proposed amendment, and shall do so within 60 calendar days of the notification of the proposed amendment by the MBS.

    b. If consultation was required, the Director shall make a decision to approve the proposed amendment, approve the proposed amendment with modifications, approve the proposed amendment with conditions, or deny the proposed amendment, and shall do so within 60 calendar days of the end of the consultation period. The Director will consider any comments received when making a decision.

    c. If the Director determines that concerns cannot be addressed (through negotiation, conditions of approval, modifications or some other means) the Director may declare that the proposed amendment must be evaluated through the major amendment process.

6. The Director shall provide notice of the decision to the MBS and the requester if different from the MBS, and all persons who submitted comments during the consultation period if one was carried out. A copy of the notice shall be placed in the public record. The Director must state reasons for the decision.

Notwithstanding the above, if it is determined that the Director needs additional time to consider a proposed amendment before making a decision, the Director shall notify the MBS.

If the Director believes that there are significant environmental concerns which cannot be resolved through conditions or negotiation between MBS and the concerned party, the Director may declare that the proposed amendment can only be evaluated through the Proposed Major Amendment process.

b) Proposed Major Amendments

The following process will be used for proposed major amendments:

1. A party will bring the proposed amendment in, writing, to the attention of MBS, describing the proposed amendment and providing a brief rationale for the proposed amendment. An amendment can be proposed by any government ministry or agency, or any member(s) of the public.

2. MBS will bring the proposed amendment to the attention of the Minister, or his/her delegate. The MBS shall provide to the Minister, or his/her delegate, comments regarding the validity, appropriateness and implications of, and the need for the proposed amendment. These comments will be provided within 30 calendar days of the

notification given to the Minister, or his/her delegate, by MBS. The Minister, or his/her delegate, may choose to discuss the proposed amendment in more detail with MBS.

3. Prior to making a decision about the proposed amendment, the Minister, or his/her delegate, may require that MBS undertake broad consultation with the public and an established government ministry and agency review team. This consultation will include providing notification to the public and to any potentially affected agency, to request comments on the proposed amendment. A period of 30 calendar days for responses will be provided.

4. If consultation is carried out and concerns are raised about the proposed amendment, the MBS must demonstrate to the Minister's, or his/her delegate, satisfaction that the concerns have been, can be or will be addressed.

5. The Environmental Assessment and Approvals Branch will have 45 calendar days to review the proposed amendment, and the results of the consultation, and prepare recommendations for the Minister's, or his/her delegate, consideration. The 45 calendar day period will commence after MBS has notified the EAAB of the proposed amendment.

6. Minister's Decision:

    a. If no consultation was required, the Minister, or his/her delegate, shall make a decision to approve the proposed amendment, approve the proposed amendment with modifications, approve the proposed amendment with conditions, or deny the proposed amendment, and shall do so within 21 calendar days of having received the EAAB's recommendation.

    b. If consultation was required, the Minister, or his/her delegate, will make a decision to approve the proposed amendment, approve the proposed amendment with modifications, approve the proposed amendment with conditions, or deny the proposed amendment, and shall do so within 21 calendar days of having received the EAAB's recommendation. The Minister, or his/her delegate, will consider any comments received when making a decision.

    c. In the event that the Minister, or his/her delegate, determines that there are significant concerns which cannot be resolved through negotiation, conditions, modifications or some other means, the Minister, or his/her delegate, may declare that the proposed amendment can only be evaluated and dealt with through the submission of a new Class EA.

7. The Minister, or his/her delegate, shall provide notice of the decision to the MBS and the requester, if different from MBS, and all persons who submitted comments during the consultation period if one was carried out. If the proposed amendment is approved, a Notice of Amendment shall be given to all persons who made submissions and a copy of the Notice shall be placed on the Environmental Bill of Rights Registry.

Notwithstanding the above, if it is determined that the Minister, or his/her delegate, needs additional time to consider an amendment before making a decision, the Minister, or his/her delegate, shall notify MBS.

APPENDIX 1

DETAILED DESCRIPTION OF UNDERTAKINGS AND FACILITY GROUPS AND SUBGROUPS IN THE CATEGORY LISTING MATRIX

DETAILED DESCRIPTION OF UNDERTAKINGS AND FACILITY GROUPS AND SUBGROUPS

This section contains the "detailed description of undertakings and facility groups and subgroups", which must be combined in the Category Listing Matrix, Figure 2.1, or with actions cross-referenced in this section to another class EA, in order to fully describe an MBS undertaking. Where the description of an undertaking or facility is potentially confusing, or requires further comment, it has been defined in this section. Otherwise, there is no definition, and matching of descriptions as described in Step 3 of the Flowchart is not possible. If a matching description is not found, then Table 2.1, Screening Table must be used to identify the Class EA Category.

Interdependence of Undertakings and Facilities

The Class EA does not permit dividing an undertaking into higher and lower category components, and then proceeding with the lower category components first, if the higher category components are actually the ultimate use. As an illustration, to subject a Category C access road to an ESR process, and then proceed with the construction, when the road is intended to serve a future Category D custodial facility, would not be permitted. The two facilities are interdependent; without the custodial facility, the access road would simply dead-end in the middle of a field or vacant site, and have no purpose. Both access road and custodial facility must be considered one single Category D environmental assessment, and be subjected to an individual EA.

An example of the difference between independent and interdependent undertakings is as follows. If a client agency has a requirement for both a Category B office building, and a Category D treatment centre, and there is no functional relationship between the two facilities, except that the ministry would find it convenient to build the two together on one site, the ministry would have the option of combining the two undertakings and proceeding with a Category D assessment from the start, or requesting MBS to proceed with the Category B assessment for the office building alone, and a separate Category D undertaking for the treatment centre at some time in the future. In the latter case, the ministry would be "at risk" for a subsequent Category D approval on the same site, and would have to be prepared for the eventuality that if the second approval could not be secured, it would have to seek another site for the treatment centre. If, however, the ministry was only building the office building prior to the treatment centre for budgetary or staging reasons, and knew that when the time came to build the treatment centre, it would have to go on the same site for functional reasons, the undertakings would not be considered independent and there would be only one option: to assess both buildings simultaneously as a single Category D environmental assessment.

In determining the category of an environmental assessment, it is not feasible to require a proponent to foresee future, unknown uses of the site. Proponents frequently acquire sites larger than their current needs, to allow for future, non-specific program expansion. If a client agency requests MBS to build a Category B office building on part of a site, and then decides several years afterward that it would be desirable to construct a Category D treatment centre on the remainder of the site, this is an independent facility. In such cases, however, the proponent is once again "at risk". EA approval of the second facility might not be forthcoming, and the proponent might have to find another site for the treatment centre.

DETAILED DESCRIPTION OF UNDERTAKINGS

Optioning (Real Property, Easements and Rights-of-Way)

The initiation of the purchase or other acquisition rights to a property that my be required to meet program needs. Optioning holds the right to purchase without binding the MBS to complete the purchase.

Leasing and Renewals, No Change in Use

In leasing, MBS or a client agency is the tenant, and the other party is the landlord. Category A leasing cannot involve any change in designated land use. It may include leases for residential, commercial, agricultural, industrial, recreational, infrastructure and parking. In Category B leasing, a change in designated land use is permitted.

Letting and Renewals, No Change in Use

In letting, MBS is the landlord, and the other party is the tenant. Category A letting cannot involve any change in designated land use. It may include leases for residential, commercial, agricultural, industrial, recreational, infrastructure and parking. In Category B letting, a change in designated land use is permitted.

Appraisals

Refers to the act of evaluating the financial worth of a property.

Surveys

The act of determining the legal boundaries, extent and ownership of a property; also the report summarizing these findings.

Feasibility Studies

Studies done to determine the practicality of a proposed project.

Legal Services

Services received from a lawyer acting on behalf of the MBS. The services may be acquired in house or through contract.

Co-Development Agreements

An agreement with a third party for the development of a parcel of land, building or other facility. The third party in most cases is the private sector.

Consultants Agreements

A legal contract to retain the services of a consultant or consulting firm.

Real Estate Profile Reporting

A description of a property, its ownership and monetary value.

Grounds Maintenance

Any activity for the maintenance of the lands around a building or facility, or the maintenance of vacant property. Maintenance of grounds can include minor repair to items of landscape but does not include the construction of new facilities or landscape features.

Landscaping

The practice of laying out and constructing ornamental grounds or grounds imitating natural scenery

Mortgages

An agreement by which money is lent for the purposes of buying a property, where the property itself is used as security for the loan.

Grants

Legal transfer of property.

Lease Administration

The management of the provisions of a lease for a leased property.

Title Search

A legal investigation into the right to possession of a property, usually undertaken prior to the finalization of any agreement to transfer said right.

Contaminant Search & Decommissioning Estimates

The review of a property history to assess its potential to contain substances that are in non compliance to acceptable limits of concentration. Decommissioning estimates provide an estimate of the cost of work to take a facility out of service and close it down so as to provide for safety and protection of the asset.

Phase I and Phase II Environmental Site Assessment

An evaluation of the environmental state of a property, based on information gathered through literature review, interviews, and physical inspections. Phase I assessments are preliminary investigations intended to identify any potential environmental issues. Depending on the results of the Phase I assessment, a more in-depth Phase II assessment involving a systematic sampling program may be required to confirm the extent of the environmental impacts.

Design Services

Professional services for the design of a facility.

Market and Realty Services

Real estate services for the acquisition and disposal of property.

Building Maintenance (Interior and Exterior)

To preserve or provide for the preservation of a building in good repair. Also, the provision of service to maintain a building in a clean and orderly manner.

Building Repair (Interior and Exterior)

To return a building, structure, or parts thereof, to good condition by replacing or fixing damaged or worn components.

Building Alteration and Restoration (Interior and Exterior)

Alteration refers to the modification of a building, structure, or parts thereof, to a different condition. Restoration refers to the act of returning a building, structure, or parts thereof, to the original condition.

Leasing & Renewals, with Change in Use

In leasing, MBS or a client agency is the tenant, and the other party is the landlord. Category A leasing cannot involve any change in designated land use. It may include leases for residential, commercial, agricultural, industrial, recreational, infrastructure and parking. In Category B leasing, a change in designated land use is permitted.

Letting & Renewals, with No Change in Use

In letting, MBS is the landlord, and the other party is the tenant. Category A letting cannot involve any change in designated land use. It may include leases for residential, commercial, agricultural, industrial, recreational, infrastructure and parking. In Category B letting, a change in designated land use is permitted.

Lease Purchase

An agreement by which a lease is entered into for the purposes of buying a property, where the lease payments go toward the cost of the property.

Easements

Right-of-way or a similar right over a property owned by another party.

Severance

The act of legally dividing a property into two or more separate lots.

Expropriations

Refers to land removed from private ownership by the government.

Purchase

To acquire by means of payment.

Sale or Disposal

The sale or disposal of a property (not containing or affecting any ESAs), "as-is" or "value-added", to a public or private sector owner. Value-added refers to sale after any of the following: rezoning; official plan amendment (change in designated land use); and/or subdivision and servicing.

Sale or Disposal Involving ESA, to Conservation Body

The sale or disposal of a property containing or affecting an ESA, to a public or non-profit organization, for conservation purposes only, with suitable land use designation.

Sale or Disposal Involving ESA, to Non-conservation Body

The sale or disposal of a property containing or affecting an ESA, to a public or private sector owner.

Demolition

Demolition means to do anything to remove a building or structure or any material part thereof.

Decommissioning

The act of closing down a facility, taking it out of service.

Planning Approvals (Land Development)

When the term "planning approvals" is used in this document, it refers to major approvals under the Planning Act, such as rezoning, official plan amendments (change in designated land use) subdivision and site plan control.

Due to the complexity of land development undertakings, it is not feasible to define a unique action entitled "Land

Development" as such. Land development may involve some or all of the major planning approvals described above. It may include servicing components covered by different "groups" of actions, such as construction of main roads, and installation of trunk mains for water, sewerage and drainage. There may be a significant amount of associated feasibility studies, legal work, leasing and letting, and surveying, etc.

On occasion, there may even be some construction of communal or other facilities. Any of these, in unrelated circumstances, may be separate undertakings in their own right. Accordingly, the action "Planning Approvals", which is considered to be the lead action in the development process, is used as the primary reference to land development in this document.

MBS residential development usually consists of:

- MBS obtains planning approvals for a site, and then leases or sells it to a not-for-profit group, which constructs an assisted housing project,
- MBS obtains planning approval for a site, and then leases or sells it to a private developer, who builds affordable or untargetted market housing,
- Any combination of the above on the same site.

Sale of Density or Air Rights

The sale of the right to develop land to a prescribed density under the *Planning Act* or an Official Plan or the right to develop or use the space above a piece of land or building.

Low Voltage Rights (Power Poles & Guy Wires)

Low Voltage Rights refer to securing permission to erect power poles and guy wires.

Reconstruction

Refers to the act of rebuilding a facility or structure.

Additions (All other than Custodial)

The increase in size of a building or structure.

Additions < 50% Floor Space (Custodial)

The increase in size of a building or structure by less than 50% of its original size prior to the adding on to the floor area of the building or structure.

Additions 51-100% Floor Space (Custodial)

The increase in size of a building or structure by more than 50% but less than 100% of its original size prior to the adding on to the floor area of the building or structure.

Additions >100% Floor Space (Custodial)

The increase in size of a building or structure by more than 100% of its original size prior to the adding on to the floor area of the building or structure.

Construction

Construction means to do anything to erect, install, extend or materially alter or repair a building, including the installation of a building unit fabricated or moved from elsewhere.

Relocation - Heritage Only

The act of moving a heritage building or structure to a different location.

DETAILED DESCRIPTION OF FACILITY GROUPS AND SUBGROUPS

Group 1: Non-Programmed Property

1.1 Vacant Land

Vacant Land does not have a building or structure on the property. Non-programmed land owned by the government is land which is not dedicated to a program use. Vacant land may be in the government property portfolio for a past or future use in connection with a facility or it may be for a passive use only. Vacant land may be part of a land assembly or may be a stand alone parcel.

1.2 Land with Improvements

Non-programmed property with improvements is property that contains one or more buildings or structures not in current use. The property associated with the buildings or structures is not in programmed use either. An example may be a farm. The parcel of land and improvements may be part of a land assembly or a stand alone property.

1.3 Land with Environmentally Significant Area

Property that may be vacant or with improvements that contains an Environmentally Significant Area. The ESA may be contained in whole or in part on the property.

Group 2: Administrative Facilities

2.1 Administrative Buildings

The most common type of administrative building consists entirely of office space and typical supporting facilities. Other types of administrative buildings include court houses, OPP detachments, ambulance stations, and outpatient psychiatric clinics.

2.2 Child Care Centres

The term "child care centres" includes "day care centres".

2.3 Educational Centres

This designation refers to educational facilities, including schools, libraries and book stores built for MBS or its client ministries. It does not refer to educational facilities owned by school boards, and regulated by the Ministry of Education.

2.4 Health Clinics

A health clinic is a place for giving medical treatment or advice. These are frequently located in remote areas.

2.5 Recreation and Tourism Facilities

The most common facility of this type would be tourist information offices.

Group 3: Storage Facilities

Structures in this group can provide storage space for any type of material, goods or machinery. Storage of products and waste operating fluids, and petroleum based fuels, is permitted in accordance with provincial legislation and policies.

3.1 Garages

Garages refer to free-standing, fully enclosed parking facilities for vehicles such as automobiles, trucks, buses, farm implements and construction machinery.

3.2 Boat Slips

Boat slips are open or covered boat docking facilities used by OPP patrol boats, and are only used for seasonal docking purposes.

3.3 Patrol Yards

Patrol Yards (see description, MTO Provincial Highways Programs Class EA) are storage structures which provide protected storage space, both covered and/or fenced, for road maintenance materials such as sand and road salt, construction and repair equipment, fuels and some hazardous waste. An office area for staff, usually incorporated into the main storage structure, and any necessary access roads, are included in the undertaking.

3.4 Warehouses

Warehouses include all facilities used exclusively for the interim or long term storage of materials, goods and machinery, except those listed as toxic and hazardous and/or not covered by existing handling and storage regulations. These facilities would normally include a small office space for administration and inventory control. Where perishable goods are stored, this would involve the appropriate climate control equipment, including refrigeration. In addition, such a facility would normally have alarm systems as well as basic fire protection.

Group 4: Custodial Facilities

Custodial facilities refer to structures where individuals must be kept under security, either for their own safety and protection, or for that of the general public. Such facilities can include group homes for young offenders, drug rehabilitation centres, psychiatric hospitals, and jails, etc. The client agency will usually be the Ministry of Community Services, Correctional Services or Health. The typical facility will provide secure 24 hour accommodation for residents, and supporting services such as administration, kitchen, dining hall, training, therapy, exercise, leisure, counselling and health care, as applicable, including all necessary provisions for staff. Depending upon available municipal services, particularly in remote locations, all necessary supporting infrastructure may also have to be provided, including roads and transit, utilities, and waste disposal.

4.1 Jails

Jails are facilities which provide short term custody for residents, or for individuals remanded for court appearances or other judicial proceedings. Residents in these facilities are usually resident for no longer than 184 days. Jails generally do not exceed 150 residents, and more often only have space for 100 or fewer residents.

4.2 Detention Centres

Detention centres are large regional facilities with capacities in the order of 600 residents, aged 18 years and older. Because they hold a complete spectrum of offenders, these centres are designed for maximum security, requiring special construction and intensive supervision.

4.3 Correctional Centres

Correctional Centres are facilities for offenders serving sentences of up to two years, with a capacity in the order of 600 residents. These centers generally require design and construction providing medium or minimum security features.

4.4 Forestry Camps

Forestry Camps are permanent, minimum security accommodation facilities providing outdoor work for 40-60 residents. These facilities are usually located in remote areas requiring complete self sufficiency in transportation, waste management and most utilities. The work undertaken at these camps predominantly involves forest management and/or market gardening. The facility, therefore, may have storage and minor servicing capacity for farm machinery and power tools, and a fuel storage tank may also be required.

4.5 Young Offenders Open Custody or Secure Detention Centres

These centres provide an open custody or secure residential setting for young offenders who are from 12 to just under 18 years of age. Facilities are small and can be located in converted dwellings or newly built facilities in a residential setting. They may be government owned and operated, or privately owned and operated on contract to the Crown. The centres are often in an urban setting, in which case the need to provide services may be reduced. Privately owned facilities are not subject to the *EA Act.*

4.6 Treatment Centres

Treatment centres provide intensive clinical intervention for residents in the areas of social work and psychiatry. These centres are self contained and usually located in an urban setting, relying on local services for utilities and waste handling needs. Their size can vary, but may provide accommodations for up to several hundred residents.

4.7 Psychiatric Hospitals

Psychiatric hospitals are operated by the Province, providing a range of services to psychiatrically disabled people. These hospitals are large, usually with hundreds of beds, and require a diverse range of facilities. As a result, they must be equipped to handle diverse materials, and when located beyond established urban centres, to deal with many kinds of waste streams. The design and architecture of these facilities is often carefully matched with local residential and commercial buildings.

4.8 Centres for the Developmentally Handicapped

These facilities provide a wide range of training and treatment to the developmentally and physically handicapped. The current trend is to encourage a move toward smaller residential settings, leased from the private sector, with a community support network. Privately owned facilities of this type are not subject to the *EA Act*.

4.9 Project D.A.R.E. Facilities

Project "Development through Adventure, Responsibility, and Experience (DARE)" facilities are wilderness experience camps for young offenders. The accommodations are simple and rustic, but provide all necessary facilities. Detention time is usually 3 months, and the program is designed to handle no more than 25-30 residents per 3 month term. There is presently only one such centre in Ontario.

Group 5: Transportation Facilities

The first type of facility in this group, government aircraft facilities, is subject to the MTO Remote Airport Class EA. The five remaining facility types in this group deal with land transportation facilities and service structures for the support of automobile, truck and rail transportation. These are also subject to existing Class EAs, specifically the Municipal Engineers Association (MEA) Class EA, MTO Provincial Highways Program Class EA and GO Transit Class EA.

Permitted actions within this group can be found in the above mentioned Class EAs.

5.1 Government Aircraft Facilities

Government aircraft facilities usually consist of an airstrip and small communication and administration structure, as well as storage for service vehicles such as a snow plow and/or fuel truck. Often these facilities are used for air ambulances and other emergency air services. Most of these facilities are located in northern Ontario and are used only intermittently.

5.2 Transit Service Facilities

A detailed description of the types of facilities within this group is presented in the GO Transit Class EA. This document should be consulted for definitions, permitted actions and any methodology needed in meeting EA requirements. A listing of the relevant types of facilities covered in "Group C" of the GO Transit Class EA, equivalent to Category B in this document, are:

- Rail station and bus terminal passenger accommodation improvements;
- Rail yard and bus terminal equipment improvements;
- Bus storage and service facilities;
- Pedestrian shelters for rail and bus transportation;
- Transit facility replacement.

The actions permitted for this type of undertaking are specified in the Go Transit Class EA. A listing of the relevant types of facilities covered in "Group B" of the Go Transit Class EA, equivalent to Category C in the MBS Class EA document, are:

- expansion of existing rail stations;
- expansion of existing bus station;
- construction of new commuter rail and bus stations on lands of not greater than 4 ha; and
- expansion of existing storage and maintenance facilities or yards.

5.3 Road and Parking Facilities

These facilities refer to highway service facilities which are required for the maintenance of highways, or regulation of highway users. Descriptions of the facilities can be found in the MTO Provincial Highways Program Class EA, and include new and existing:

- truck inspection stations;
- vehicle inspection stations;
- winter maintenance facilities

The MTO Provincial Highways Program Class EA should be consulted for EA procedures governing these facilities, except when the client is a municipality, in which case the MEA Class EA will apply.

5.4 Water Crossings

Water crossings consist of culverts, bridges, tunnels, causeways or ferries crossing naturally occurring surface drainage features, such as lakes, wetlands, bays, rivers, streams or man-made drainage features, including ditches, canals and municipal drains.

The description for these facilities can be found in the MTO Provincial Highways Program Class EA. In MTO terminology these are "Group C" undertakings, equivalent to Category A in this document:

- drainage maintenance including minor drainage improvements, culvert repair or replacement;
- structure maintenance such as sandblasting and painting, and the removal or hazardous drainage conditions

such as beaver dams;

- reconstruction of facilities for the same purpose, use and capacity, and in the same location, as the original facility.

"Group B" undertakings in the MTO Class EA, equivalent to Category C in this document, are:

- new and replacement water crossings;
- significant modifications to water crossings, e.g. change in capacity;
- ferry crossings, including operations and docking facilities, etc.;
- hydraulic modifications.

The MTO Provincial Highways Class Program EA should be consulted for EA procedures governing these facilities, except when the client is a municipality, in which case the MEA Class EA will apply. (Categories in the MEA Class EA are the same as this document).

5.5 Pedestrian Access Facilities

These refer to highway service facilities which contribute to the safety, comfort and convenience of the highway user. Descriptions of undertakings relative to these facilities can be found in the MTO Provincial Highways Program Class EA, and include new and existing:

- major rest areas;
- service centres.

The MTO Provincial Highways Program Class EA should be consulted for EA procedures governing these facilities, except when the client is a municipality, in which case the Municipal Road Class EA will apply.

Group 6: Research Facilities

6.1 Environmental Monitoring Stations

Various ministries require the construction of shelters for unattended scientific equipment which sample and record weather conditions, air and water quality, etc. These facilities are usually quite small, consisting of a shelter or room, and are relatively noiseless and unobtrusive. The facilities usually require a power supply (sometimes solar power) and may also require an access road, for example, when located in a remote area.

6.2 Experimental Farms

Experimental farms are centres for applied agricultural research, where new farming techniques, machinery, fertilizers, pest control technology, etc. are tested. Therefore these facilities have permits to handle and store hazardous and toxic materials in MOE approved sites. Greenhouses and tree nurseries may be included in the facilities. Experimental farms are complete farming operations, with on-site living accommodations for no more than 10 employees, and service facilities for farm machinery. Such facilities may generate and treat all farm-related waste streams.

6.3 Agricultural Extension Stations

Agricultural extension stations are facilities where information and/or training in the application of new agricultural techniques and products is offered to area farmers. The larger facilities are similar to experimental farms, except that they must be able to accommodate larger numbers of people (daytime only), who may be taking a training course. Some stations are limited to an information office, staffed by several full-time employees, who provide both advice and written material.

6.4 Fish Culture Facilities

Fish culture facilities are used for the breeding of fish stock to replenish rivers and lakes. MNR does not have a Class EA for fish culture facilities. Facilities may be subjected, on a case by case basis, to an exemption application, an ESR type approach, or an individual EA.

MNR is always the proponent of undertakings at fish culture facilities, carrying out all the necessary planning, design, development and environmental assessment, and obtaining all necessary EA approvals and other regulatory permits. MBS acts as an "agent" in such undertakings, using the EA documentation and permits provided by MNR as guiding controls.

6.5 Nurseries and Arboretums

An arboretum is a facility where a botanical collection of trees is planted, managed to maturity, and monitored for long term research purposes, in a generally more natural situation than a bare root nursery. A bare root nursery is a site for the cultivation of seedlings intended for transplantation, and usually involves a more intensive culture of seed stock, and greater use of artificial controls such as pesticides, than an arboretum.

Group 7: Communication Facilities

7.1 Communications Towers

Communications towers are used by the Ministry of the Solicitor General predominantly for such purposes as radio communications between OPP detachments and police cruisers. They may also be used by MNR or other ministries. The towers can be over 120 m high and require up to 4 ha of land to accommodate the necessary guy wires. The facilities must have electrical power, either through a conventional Hydro connection, or from generators located on-site. Access roads and small storage sheds may also be required. All such facilities must comply with the following codes and standards:

- official plan land use designations and zoning by-laws;
- Canadian Standards Association Code No. 37;
- Federal Department of Transport Regulation TT382 (marking and lighting).

Group 8: Infrastructure Development

Facilities in this group, with the exception of 8.3, are subject to specific client agency Class EAs.

8.1 Sanitary Collection, Treatment and Disposal Systems

The Class Environmental Assessment for Municipal Sewage and Water Projects should be consulted for EA procedures governing the above-noted system. Definitions of the relevant undertakings, and permitted actions, can be found in the Municipal Sewage and Water Class EA.

8.2 Water Supply, Distribution and Treatment Systems

The MEA Class Environmental Assessment should be consulted for EA procedures governing the above-noted systems.

Definitions of the relevant undertakings, and permitted actions, can be found in the MEA Class EA.

8.3 *Drainage Act* Related Works

Drainage works which are subject to the *Drainage Act* consists of any action taken to drain water from wetland areas. This includes the installation of subsurface drainage tiles, drainage ditches as well as pumping stations. Drainage works must be part of an approved plan of subdivision.

8.4 Stormwater Management Facilities

Stormwater management includes water drainage, routing, detention and treatment facilities. Most often it is associated with runoff from streets, other impervious surfaces and cleared lands. Facilities are subject to the MEA EA where the municipality is the proponent, the MTO Provincial Highways Program Roads Class EA where MTO is the proponent, and the MNR Access Roads Class EA where MNR is the proponent. Related undertakings and actions are defined in the MEA Class EA.

8.5 Stream Channelization and Bank Stabilization

Facilities in this subgroup are initiated to rehabilitate and prevent damage to aquatic habitat, or when an existing resource or facility is threatened by erosion or sedimentation, through the construction of stabilization structures and through non-structural methods. Since facilities in this subgroup may be the cause, rather than the remedy, for environmental impacts, they require extremely careful design and implementation. Subgroup types include:

- revetments and bulkheads;
- breakwaters and seawalls;
- groynes and jetties;
- retaining walls;
- beach area replenishment and sand bypassing;
- channelization;
- re-vegetation;
- fencing;
- water level control.

These facilities are defined in three existing Class EAs; the MNR Class EA for Shoreline and Stream Bank Stabilization, Ontario Hydro Class EA for Shoreline and Riverbank Improvements and Conservation Authorities Class EA for Water Improvement Projects. Permitted actions for this undertaking depend upon which Class EA applies, as follows:

- where MNR's interests are concerned, the permitted actions are described in the MNR Class EA for Shoreline and Stream Bank Stabilization;
- where flood and water quantity management are concerned, permitted actions are described in the Conservation Authorities Class EA;
- where power generation is concerned, permitted actions are described in the Ontario Hydro Class EA for Shoreline and Riverbank Improvement.
- For all other undertakings, the MBS Class EA will apply.

Group 9: Heritage Properties

Heritage properties are properties that require attention because they either comprise or support cultural heritage of value to the public. Such resources may be heritage buildings, cultural landscapes, archaeological resources, or historic places (sacred or secular sites). These properties have been identified by Cultural Heritage Evaluation and have a registered Cultural Heritage Evaluation. A customized Heritage Character Statement describes the qualities of each heritage property that require protection in order to safeguard its cultural value or contribution. There are two types of heritage properties, MBS Cultural Heritage Properties and MBS Heritage Support Properties. (Other facility group properties may also be heritage properties)

9.1 MBS Cultural Heritage Properties

Cultural Heritage Properties are properties that have been identified, assessed, evaluated and deemed to have cultural value to the people of Ontario. Archaeological properties identified for long term assessment are also accommodated by this designation

9.2 MBS Heritage Support Properties

Heritage Support Properties are properties that, while not of particular cultural value themselves, provide support essential to protect the legibility or physical integrity of a recognized cultural heritage resource.

Such a property may (but not exclusively) be:

- A non-defining part of an MBS Cultural Heritage Property;
- A buffer to an MBS Cultural Heritage Property;
- Situated in a community Heritage Conservation District;
- Located adjacent to land with identified archaeological potential; and
- Located adjacent to a heritage resource a community has recognized as having cultural heritage significance.

Group 10: Waste Facilities and Contaminated Properties

10.1 Composting Facilities

Composting facilities are non-commercial sites (20-40 tonnes per day) used for compostable material generated by government facilities. The output is used for soil conditioning. Raw materials are limited to lawn clippings, leaves, kitchen scraps other non-toxic organic, degradable materials and topsoil. All sites must be approved by MOE, and only MOE approved technology can be applied.

10.2 Contaminated Sites

Contaminated site refers to property or lands which have not been rehabilitated and that, for reasons of public health and safety or environmental quality, are unsafe for use as a result of human activities (particularly those activities resulting in chemical or radioactive residue).

The clean-up or decommissioning of contaminated sites involves any remedial action taken to mitigate actual or potential hazards associated with a contaminated site. All activities must comply with Regulation 309 (*Environmental Protection Act*) and the Ministry of the Environment's "Guideline for the Decommissioning and Cleanup of Sites in Ontario" (Policy 14-17) and other relevant guidelines, regulations for treatment, handling and transportation of contaminants."

10.3 Contaminated Buildings

As with contaminated sites, contaminated buildings are those buildings which have not been rehabilitated and that, for reasons of public health and safety or environmental quality, are unsafe for use as a result of human activities (particularly those activities involving chemicals or asbestos).

Contaminated building treatment consists of the identification, treatment and removal of hazardous materials, either on the building site or in the building materials. As with 10.2 it can involve the removal of the contaminated materials to an environmentally secure disposal facility.

10.4 Non-Hazardous Solid Waste Landfill Facilities

Landfill facilities, approved by MOE, designed to dispose of non-hazardous solid waste.

10.5 Hazardous and Industrial Liquid Waste Management Facilities

Facilities designed to process hazardous waste in accordance with the EPA and any other applicable MOE requirements.

APPENDIX 2

SCREENING PROCEDURE TO DETERMINE ENVIRONMENTAL ASSESSMENT CATEGORY

APPENDIX 2 : SCREENING PROCEDURE TO DETERMINE ENVIRONMENTAL ASSESSMENT CATEGORY

In this document, the term "screening" is used to describe the process of subjecting an undertaking to a set of predetermined questions (see Table 2.1) in order to determine the Category or provisional Category of an undertaking when it cannot be found in the Category Listing Matrix. The screening questions can also be used to respond to any queries or challenges that might arise when a review agency, or the public questions an undertaking's Category that has been identified through the use of the Matrix. On the basis of the screening questions, each undertaking is assigned an Environmental Assessment Category corresponding to its potential level of impact, and the need for a more, or a less, intensive environmental assessment methodology.

Application of the screening questions should be relatively straightforward, even if some are analytical and require some further investigation or fieldwork. If significant difficulty is encountered in applying any of these screening questions, this is a signal that the particular undertaking is not predictable and well understood, and may therefore warrant a higher level of assessment, including the possibility of an Individual EA (Category D).

The "Screening Table" (Table 2.1) consists of 22 "yes/no" questions arranged in a structured sequence. Depending upon which of the two answers is given, the user may identify the Category, or be directed to another question. This process of responding to structured "yes/no" questions and following the resultant instructions is repeated until the Category is identified. Answers to the screening questions must be either "yes" or "no". If the answer to a question appears to be "maybe", more research must be carried out until an appropriate response has been identified.

In answering the screening questions, the following points should be considered:

When questions involve the mandated authority of another ministry (such as MNR in the case of ESAs), the mandated ministry must be consulted if there is any doubt as to the proper response. When answering technical questions such as those relating to fish, wildlife and water quality, etc., qualified professionals (beginning with the mandated authorities) must be consulted.

In undertakings where a site is pre-zoned, and requires no further planning approvals, the screening questions, particularly Question 17 regarding visual impact and physical access, should be examined in the light of previous documentation relating to the site.

The screening questions can only take into account "known" conditions about the undertaking, identified by desk research, surveys, interviews and preliminary field research. The assessment methodology is designed to identify conditions that are "unknown" at the time of applying the screening questions.

Screening Questions and Rationale

The screening questions, which are presented in Table 2.1, can be divided into two broad groupings. One group being questions which are "categorical" in nature (i.e. based upon experience and answered in summary terms, with no further investigation); and those that are "analytical" in nature (i.e. potentially requiring further investigation before they can be answered).

The following summarizes the nature of the questions:

Questions 1-15 are categorical in nature, and are oriented toward specific, well defined undertakings, which may occur in any Category from "A" to "D". Among these, minor undertakings such as routine building repairs and maintenance activities, which have been undertaken by ORC hundreds or even thousands of times and can be reliably predicted to have no significant effects, are assigned to Category A. (Note, however, that a change in designated land use is not permitted in Category A. Due to the risk of potential impacts, such undertakings are automatically assigned to Category B, regardless of their description.) Other questions in this grouping deal with undertakings which occur less frequently, but have predictable and potentially significant environmental effects, such as the handling of hazardous wastes or construction of new custodial facilities These will be assigned to Categories C or D, depending upon such factors as predictability, severity of potential impacts, size and capacity.

Questions 1-15 should not require an extensive analysis. If the user finds it difficult to answer these categorical questions in a summary fashion, this is a sign that the user is applying the questions incorrectly, or has an insufficient understanding of ORC undertakings, and should seek qualified assistance.

Questions 16-22 are analytical in nature, and are oriented toward projects that have more complex impacts on the natural, social, cultural, economic and built environments, and their interrelationships. The questions are designed so that any "yes" answer will require that Category A and B undertakings are subject to the next highest Category. Usually the cause will be site specific conditions or other "anomalies" or unusual circumstances. The rationale is that an affirmative response to any of these questions indicates a significant potential for environmental impact or community disruption.

In contrast to questions 1-15, questions 16-22 may be relatively more time consuming to answer. If questions 1-15 have all been answered "no", some surveys, analysis, interviews and field research, in consultation with the mandated authorities, may be required. This does not mean that such projects will be invariably identified as Category C or D. The majority of impacts identified by this grouping of screening questions are potentially mitigable, and might be eliminated with careful attention in the early design stages of the undertaking. Once again, it should be reinforced that if there is any doubt concerning the answer to one of questions 16-22, the user should seek qualified assistance, including that of the mandated authorities and/or other specialized professionals.

For undertakings of a similar description, which are not found in the Category Listing Matrix (Figure 2.2), a new subgroup and/or action can be added to the Category Listing Matrix. A new detailed description of the undertaking must also be added to Appendix 1. Any new undertakings that have been added to the Category Listing must be addressed through an amendment to this Class EA and approved by the Ministry of the Environment. The procedures for amendments to this Class EA are discussed in Section 9.9.

APPENDIX 3

ONTARIO REALTY CORPORATION CONSULTATION AND DOCUMENTATION REPORT

ORC Consultation and Documentation Report

NB: This checklist is completed and signed by ORC agents for all Category "A", Category "B"and Category "C" projects and made available to the public upon *request*.

Responsible ORC Agent's Name: .... *Phone:* ....

File / Project / Work Order Number: ....

PIMS Installation Number:.............................. *PIMS Building Number(s):* ....

Brief description of undertaking: ....

....

Brief description of purpose and rationale

....

Discussion of the Review of Alternatives to the Undertaking (attach as Appendix if required)

Part I - Project and Site Description

1) **IDENTIFY CATEGORY "B" UNDERTAKING / ACTIVITY**
   - ☐ Letting and Renewal with change in land use
   - ☐ Sale, Transfer, Disposal
   - ☐ Easement
   - ☐ Purchase
   - ☐ Leasing and Renewal with Change in land Use
   - ☐ Construction
   - ☐ Other (Specify): (Ref: Class EA, Fig. 2-1)
   - ☐ Reconstruction
   - ☐ Addition (other than Custodial)
   - ☐ Demolition
   - ☐ Planning Approvals (Land Development)
   - ☐ Any undertaking affecting a heritage resource
   - ☐ Decommissioning

2) **Client Ministry, Agency, Board or Commission:**______________________________

3) **Site Tenant:**______________________________

4) **Client's Intended Land Use for Site :**

5) **SITE DESCRIPTION** (Attach SITE PLAN if available)

County:______________ Township:______________ Lot:__________ Con.: __________

Municipal Address:______________________________ Site Area:______________

Brief description of site features:______________________________

Part II - Project Categorization (Ref: Class EA Section 2)

1) Does Client Ministry / Municipality have an applicable E.A. process or approval for the proposed undertaking?...

   ☐ **Yes** ☐ **No** (If **YES**, receive written confirmation from client that it intends to use it own process.

   In this case, no further EA work is required by ORC. If **NO**, use ORC process, below.)

2) Identify provisional EA Category of Project

   (Ref: Class EA, Fig.2.1, Category Listing Matrix and Appendix) ☐**A** ☐**B** ☐**C** ☐**D**

3) Verify EA Category

4) If Category is in doubt, use screening questions. (Ref: Class EA, Table 2.1)

5) For Category A projects, proceed without further E.A. action unless an heritage feature of the site or building is involved. If heritage is involved, or unknown, Category B (PART III, below) is required.

6) For Category C projects, refer to Class EA, Section 4.

7) For Category B projects, complete remainder of this Checklist.

Part III - Site Analysis, Consultation and Documentation (NB: "YES" answers require resolution in PART V of this Report. Ref: Class EA, Section 4)

1) EXISTING LAND USE STATUS (n.b. Under "Source" give name & phone number of Authority contact that provided the information. If information was derived from public records, give cross reference.)

a) Current Official Plan and Zoning Designations: ____________________
____________________ Source: ____________________

b) Floodplain: ____________________ Source: ____________________

c) Prime agricultural land (class 1-4) or Specialty Crop? Source: ____________________

d) Environmentally Significant Areas (ESAs) ?: Source: ____________________

e) Are there surface or underground easements on the site? Specify:

f) From the above contacts / research, in your opinion, will the Client's intended land use (identified above in PART I, 4) require an application under the *Planning Act* to bring current land use into conformity with intended land use?... ☐ **Yes** ☐ **No**

g) If YES, has ORC, or anyone else, applied for a change in land use under *Planning Act*? (Describe resolution of this issue in Part IV, below.) ☐ **Yes** ☐ **No**

h) Is the site directly adjacent to designated ESAs or major transportation routes? .... ☐ **Yes** ☐ **No**

i) If "YES" to the above, are any impact mitigation studies being conducted? .... ☐ **Yes** ☐ **No**

If "YES" to either of the above 2 questions, describe the adjacent land use/ studies in PART V, below.

2) ENVIRONMENTAL CONDITION OF THE PROPERTY

a) The assessor has the option of completing an Environmental Site Assessment Report (b a qualified assessor or the completion of the visual inspection report below.

An Environmental Site Assessment Report has been completed and is attached to the Consultation and Documentation Report ☐ **Yes** ☐ **No**

b) Visual Inspection Date: ____________________

c) Is there visual evidence on land or in buildings of any of the following: (**Y** for yes, **N** for no)

- ☐ incineration?
- ☐ leaking or unprotected underground or above-ground fuel storage tanks?
- ☐ stained surfaces?
- ☐ oily sheens on water?
- ☐ unprotected industrial drums?
- ☐ PCB ballasts / transformers?
- ☐ vegetation damage?
- ☐ other potential contaminants? (specify)
- ☐ fill added?
- ☐ leaded paint? (any building constructed prior to 1980 may contain leaded paint)
- ☐ discarded batteries?
- ☐ friable (crumbling) asbestos?
- ☐ ureaformaldehyde?
- ☐ pesticide / herbicide containers?
- ☐ chlorofluorocarbons, refrigerants not in use?
- ☐ signs of above-noted items on adjacent properties?

d) Consultation with neighbours, owners, tenants, municipal officials or Provincial officials with respect to:

i) current and past uses (eg. storage, vehicle repair garage, printing, dry cleaners, photo lab, waste processing, etc.) ____________________

ii) adjacent uses ____________________

iii) fuel storage tanks (check with MCBS, Fuel Safety Branch) ____________________

iv) records of old landfills or previous complaints or violations on site (check with MOE local office) ____________________

v) presence of water well(s), water quality (check with MOE) ____________________

vi) use of potentially hazardous substances on site (eg., pesticides, batteries, chemicals, etc.) ____________________

vii) other local findings (eg., natural gas wells, radon gas, radioactivity, etc.) ____________________

e) Have other contaminant assessments taken place on this site? ____________________

f) In your opinion, does site contain evidence of contamination? . . . . ☐ Yes ☐ No
[A "YES" answer is warranted if there is question of the nature or extent of contamination or the use of hazardous substances. If YES, recommend a Phase I Environmental Site Assessment (contaminant assessment) be done in PART V.]

3) ENVIRONMENTALLY SIGNIFICANT AREAS (ESAs) (Ref: Class EA, GLOSSARY)

a) M.N.R. contact:____

Wetlands? Areas of Natural and Scientific Interest? (ANSIs) . . . . ☐ Yes ☐ No

Habitats designated by *Endangered Species Act*? . . . . ☐ Yes ☐ No

Habitats designated or proposed of rare, threatened or endangered species? . . . . ☐ Yes ☐ No

b) Conservation Authority contact:____________________________________

ESAs? . . . . ☐ Yes ☐ No

Floodplains? . . . . ☐ Yes ☐ No

c) Municipal contact: ____

ESA designation in Official Plans? . . . . ☐ Yes ☐ No

Groundwater recharge sites? . . . . ☐ Yes ☐ No

d) Is any portion of the property designated by the Niagara Escarpment Plan as Natural or Rural Area? ☐ Yes ☐ No

e) Any Federal lands? (Check with Public Works and Government Services Canada) . . ☐ Yes ☐ No

f) Is site part of, or adjacent to, an ESA? . . . . ☐ Yes ☐ No
(If YES, describe ESA below and on attached site plan.)
Description:____

g) In your opinion, based on the above contacts and any current, relevant ORC feasibility studies, could the intended use and project cause any local, long term changes significant enough to threaten the ESA ? . . . . ☐ Yes ☐ No
(If YES, hold further implementation until a Category C process is completed and note this resolution in PART IV, below.)

h) If the site is part of an ESA, and a sale or disposal is intended, is the purchaser a non-conservation body?
☐ Yes ☐ No
(If NO, go to 5, below. If YES, **EITHER** ensure the purchaser becomes a conservation body, **OR** elevate to a Category C process, **OR** modify boundaries of sale to exclude ESA with adequate setback, **OR** abandon sale and note resolution in PART IV, below.)

4) DISTINCTIVE ENVIRONMENTAL FEATURES

a) Does visual inspection reveal any natural features (other than ESAs noted above) such as floodplain, high groundwater level, streams, rivers, natural corridors (eg. hedgerows), woodlots, wetlands, springs, water bodies, topography, prevailing slope direction, steep slopes, ravines, rock outcrops? . . . . ☐ Yes ☐ No
(If YES, describe below, and on attached site plan.)
Description: ____

b) Would any of the observed features be affected by the implementation of the project as

currently planned? ☐ Yes ☐ No

c) Do Municipal Authorities or interest groups say that any of the observed features warrant protection?
☐ Yes ☐ No

(If YES, to either of the last two questions, describe effects and/or protection measures in PART V. If NO, go to 6, below.)

5) SERVICING CAPACITY RE SEWERAGE, WATER, ROADS, GAS, HYDRO, ETC.

a) Does Servicing involve a Septic System? . . . . ☐ Yes ☐ No
(If YES, note in PART IV and attach technical research supporting site's capacity to sustain a septic system.)

b) If well water is in use, is water undrinkable due to pollution? . . . . ☐ Yes ☐ No
(If YES, specify source of pollution and note in "Contaminants" section above and describe resolution in PART V, below. If NO, cite your evidence.)
Evidence:____

c) Based on local municipality, MOE or MTO or other contacts, or current, relevant ORC feasibility studies, will the intended use and project require new or different servicing? . . . . ☐ Yes ☐ No

(If YES, specify your contact and anticipated resolution of new or different service in PART V, below.)

6) CULTURAL HERITAGE ANALYSIS, CONSULTATION AND DOCUMENTATION

a) Does this property have a Cultural Heritage Evaluation? ☐ Yes ☐ No

If YES, Specify______________________ ___________
If NO, continue to Question 3.

b) Is there any reason to reassess the cultural importance of this property (such as the appearance of new knowledge, new identification of nearby resources, an out-dated evaluation, etc.)? ☐ **Yes** ☐ **No**
If YES, continue to Question 6e.
If NO, continue to Question 6f.

c) Does this property have Cultural Potential?

Do major indicators of Cultural Potential exist?

i) Is this property known to be a site of heritage interest?
If so, describe why ______________________________________ ☐ **Yes** ☐ **No**
ii) Is this property within 300 feet of an existing or ancient water source
(i.e. lakeshore, river, creek, beach ridge or river bed)? ☐ **Yes** ☐ **No**
iii) Does this property contain a building or structure that is 40 years
old or older? ☐ **Yes** ☐ **No**
iv) Is there a property of identified heritage interest within 500 m. or one city block
of this property ? Identify __________________ ☐ **Yes** ☐ **No**

If YES is the response any question in Sections c) cultural potential is indicated. Once cultural potential has been indicated (i.e. a "yes" is obtained), move immediately to question 6f). If NO go to 6d).

d) Does the site contain distinctive features which may indicate Cultural Potential?

i) Do the buildings or grounds of this property contain spaces
that are unusual or remarkable for their ambience or appearance? ☐ **Yes** ☐ **No**
ii) Do the buildings or grounds of this property contain spaces
that are of interest for their architectural feature, their materials or
the way they are assembled (i.e. their construction technology)? ☐ **Yes** ☐ **No**
iii) Does this property contain (or consist of) elevated topography such
as knolls, drumlins, eskers, or plateaus? ☐ **Yes** ☐ **No**
iv) Are there pockets of sandy soil in a clay or rocky area on this property? ☐ **Yes** ☐ **No**
v) Are there unusual land formations such as mounds, caverns, or
waterfalls on this property? ☐ **Yes** ☐ **No**
vi) Is the property free of signs of recent disturbance?
If not, describe the nature & extent of disturbance ___________
____ ☐ **Yes** ☐ **No**

If YES is the response any question in Sections d) cultural potential is indicated. Once cultural potential has been indicated (i.e. a "yes" is obtained), move immediately to question 6f). If NO go to 6e).

e) Does knowledge exist to suggest this property may have cultural potential? Agencies responsible for the regulation of heritage and the collection of local historical information often act as brokers for the identification of knowledge indicating cultural potential. Several agencies must be consulted to determine the current state of knowledge -- and any leads they provide to additional groups or individuals possessing special or new knowledge must also be pursued.

i) Does the local heritage planning body consider this site to ☐ **Yes** ☐ **No**
have potential cultural heritage interest or sensitivity?
Identify individual, title & date consulted __________________
___________________________ (This may be the municipal planner, the LACAC, Band Office, Parkway Commission or Conservation Authority).

Identify reason ____

(The property may have already been identified as an archaeological, sacred, heritage or historic site. It may be in a heritage area, or an area of identified heritage potential. **In addition**, planners should be asked whether
- there is a site of heritage interest within 500 m or 1 block of the site?
- this site provides a sense of place & continuity to its community or area?)

ii) Does local historical knowledge indicate this site may have potential cultural heritage interest or sensitivity? ☐ Yes ☐ No

Identify individual, title & date consulted ______________________________
(This may be the local historical society, museum, library, band office or a community historian recommended.)

Identify reason ______________________________
(i.e. - associated with a person, theme or event of historical interest, or
- located on an historic transportation route, in an historic area of critical food supply, economic or cultural activity, or on the site of a suspected cemetery.)

iii) Is this property, or a site within 500 m of it, listed on the Ontario Ministry of Culture's Register of Archaeological Sites? ☐ Yes ☐ No
Identify individual and date consulted ____________________

iv) Has this property, or a site within 500 m of it, been identified for heritage protection or heritage concern under provincial legislation? ☐ Yes ☐ No
(Whether for built, cultural landscape or archaeological purposes. Such concern would be indicate by designation under the Ontario Heritage Act, the presence of heritage plaques, easements, covenants, or identification for attention under another provincial government program.)

Identify individual and date consulted ____________________
____________, *or* date of website review ________________
(http://www.gov.on.ca/mczcr/english/culdiv/ heritage)

v) Has this property, or a site within 500 m of it, been identified for heritage protection or concern by federal authorities? (Interest may be indicated by Property, by an agreement or treaty, or by new knowledge) ☐ Yes ☐ No

Identify individual and date consulted ____________________
or date of website review __________ *(http://parkscanada.pch.gc.ca)*

vi) Does any other known heritage specialist or cultural interest group possess knowledge to suggest this property may be of particular heritage value or concern? (In most cases, referrals to such parties will be made by the above agencies.) ☐ Yes ☐ No

Identify individual, contact address and date consulted
____

Identify reason for concern ____________________________ _

If YES is the response any question in Sections e) cultural potential is indicated. Once cultural potential has been indicated (i.e. a "yes" is obtained), move immediately to question 6f).

f) Is this an MBS heritage property? ☐ Yes ☐ No

If NO, proceed to Section 4) ENVIRONMENTALLY SIGNIFICANT AREAS.

If YES, continue to Question g).

g) In your opinion, does the proposed activity affect the heritage value of the property as described in its heritage character statement? ☐Yes ☐No ☐Uncertain

Explanation____

If NO or UNCERTAIN, proceed to Question h).

If YES, proceed to Question i).

h) Does MTCR consider that the undertaking will affect the heritage value of the property as described in its heritage character statement? ☐ Yes ☐No

If NO, attach reply.

i) Does the MTCR consider proposed mitigation will address heritage protection concerns adequately? ☐ Yes ☐No

If Yes, attach reply.

6) SOCIO-ECONOMIC

For undertakings that do not require an application under the *Planning Act*, could the undertaking cause long-term changes, beyond existing background variations (based on standard demographic measures), to the social structure or the demographic characteristics of the surrounding community? ☐ Yes ☐No

If the answer to this Question is Yes then there must be a study completed to assess the impacts and identify mitigation and monitoring requirements. If this cannot be accommodated within the Consultation and Documentation Report or appended to the Report, the undertaking should be assessed as a Category C undertaking.

Part IV - Resolution, i.e., Summary of Environmental Effects, Mitigation and Monitoring (Ref. Section 7 of Class EA)

1) LAND USE

2) ENVIRONMENTAL CONDITION OF THE PROPERTY

3) ENVIRONMENTALLY SENSITIVE AREAS

4) DISTINCTIVE ENVIRONMENTAL FEATURES

5) SERVICING CAPACITY

6) CULTURAL HERITAGE

7) SOCIO-ECONOMIC

SIGN-OFF DECLARATION

"I hereby certify, to the best of my knowledge at this date, that the above description of the undertaking and affected site is correct, that the directly affected parties noted on this RECORD were consulted by ORC, that the issues raised by the directly affected parties with regard to the above 7 site-specific points, including any impacts, mitigation, net effects and monitoring were dealt with as per the notes and attachments to this RECORD, and finally that the results of these investigations are:

--------- Category A

----------Category B

----------Require the Completion of an Environmental Study Report

.... SIGNATURE OF RESPONSIBLE ORC AGENT

.... DATE

F:\envirnmt\con&doc.wpd
September 1, 2001

APPENDIX 4

SAMPLE NOTIFICATION FORMS AND ANNOUNCEMENTS

SAMPLE NOTIFICATION FORMS AND ANNOUNCEMENTS

CONTENTS

1. List of Government Agencies and Other Interested Parties
2. List of Addresses of Ministry of the Environment Regional Offices
3. a) Sample Notification Form: First Mandatory Contact (Category C)
   b) Sample Announcement: Invitation to Participate
4. a) Sample Notification Form: Second Mandatory Contact (Category C)
   b) Sample Announcement: Notice of Open House
5. a) Sample Notification Form: Third Mandatory Contact (Category C)
   b) Sample Announcement: Notice of a Public Meeting
6. a) Sample Notification: Notice of Completion of ESR (Category C)
   b) Sample Announcement: Notice of Completion of ESR (Category C)
7. Covering Memo to Environmental Assessment and Approvals Branch - Project Notices
8. Procedure for the Application of Client Ministry or Agency's Class EA or Declaration Order

Item 1

LIST OF GOVERNMENT AND OTHER AGENCIES AND OTHER INTERESTED PARTIES

The following lists government agencies that may have an interest in participating in ORC Environmental Study Reports. The proponent should determine whether the nature of an undertaking and the concerns and issues related to it require contact with other agencies not listed here.

A. Provincial
Ministry of Agriculture, Food and Rural Affairs
Ministry of Community and Social Services
Ministry of Correctional Services
Ministry of Tourism, Culture and Recreation (contact ministry early in planning process to identify heritage concerns)
Ministry of Education and Training
Ministry of Energy, Science and Technology
Ministry of the Environment Regional Offices (Central or Eastern or Northern or Southwestern or West Central)
Ministry of Transportation
Ministry of Health
Ministry of Municipal Affairs and Housing
Ministry of Economic Development and Trade
Ministry of Consumer and Business Services
Ministry of Natural Resources
Ministry of Northern Development and Mines
Ministry of the Solicitor General
Ministry of Attorney General
Ministry of Finance
Ministry of Labour
Ontario Native Affairs Secretariat
Ontario Heritage Foundation
Conservation Authorities
Niagara Escarpment Commission
Ontario Power Generation Limited
Waterfront Regeneration Trust Corporation

B. Federal
Canadian Environmental Assessment Agency
Fisheries and Oceans Canada
Environment Canada
Indian Affairs and Northern Development
National Energy Board
Canadian Heritage
Canadian Parks Service
Canadian Transportation Agency
Natural Resources Canada
Public Works and Government Services Canada
Transport Canada
Port Authorities (Hamilton, Toronto, Windsor, Thunder Bay)

C. Municipalities
Planning Departments
Engineering Departments
Local Architectural Conservation Advisory Committees (LACAC)
Greater Toronto Transit Authority (GO Transit)

D. Aboriginals

Relevant Aboriginal Communities (Section 8.8 provides web site addresses for information such as Tribal Council and District Chiefs contact information, First Nation directory for Ontario, map of First Nations and First Nation profiles)

E. Other Interested Stakeholders

Heritage Groups
Ontario Historical Society
Conservation Authorities
Federation of Ontario Naturalists
Society for the Study of Architecture in Canada
Agricultural Groups or Associations

Item 2

LIST OF ADDRESSES OF MINISTRY OF THE ENVIRONMENT REGIONAL OFFICES

EA Coordinator
Northern Region
Ministry of the Environment
435 James Street South, Suite 331
Thunder Bay, ON
P7E 6S7

EA Coordinator
Southwestern Region
Ministry of the Environment
659 Exeter Road, 2nd Floor
London, ON
N6E 1L3

EA Coordinator
West Central Region
Ministry of the Environment
12th Floor, 119 King Street West
Hamilton, ON
L8P 4Y7

EA Coordinator
Central Region
Ministry of the Environment
5775 Yonge Street, 8th Floor
North York, ON
M2M 4J1

EA Coordinator
Eastern Region
Ministry of the Environment
P.O. Box 820
133 Dalton Avenue
Kingston, ON
K7L 4X6

Item3a: Sample Notification Form

FIRST MANDATORY CONTACT - CATEGORY C
ONTARIO REALTY CORPORATION
ADDITION OF RECREATION FACILITY AT THE MIDDLETOWN CENTRE FOR DEVELOPMENTALLY HANDICAPPED
CLASS ENVIRONMENTAL ASSESSMENT PROJECT NOTIFICATION

Dear ______,

This letter is to advise you that the Ontario Realty Corporation (ORC) has commenced a study regarding the possible addition of a recreation facility at the Middletown Centre for the Developmentally Handicapped, located at the corner of Main Street and Water Street in downtown Middletown. ORC is considering this expansion to provide on-site recreational opportunities for residents of the Centre, who must currently travel by bus to off-site facilities.

This project is being assessed as a Category C, in accordance with the requirements of the MBS Class Environmental Assessment for Realty Activities. ORC invites you to participate in this study. Your input will be incorporated in the development of an Environmental Study Report, which will be available for public review.

To enable full public discussion on this project, open houses will be held at two key points in the study process. We will notify you of the times and dates for these events.

If you wish to be involved in this study, or receive further information, please do not hesitate to contact the undersigned.

Yours Sincerely,

Project Manager
Ontario Realty Corporation
Tel (123) 456-7890
Fax (123) 456-7890

Item 3b: Sample Announcement

ONTARIO REALTY CORPORATION
ADDITION OF RECREATION FACILITY AT THE MIDDLETOWN CENTRE FOR DEVELOPMENTALLY HANDICAPPED
CLASS ENVIRONMENTAL ASSESSMENT
INVITATION TO PARTICIPATE

Ontario Realty Corporation (ORC) has commenced a study regarding the possible addition of a recreation facility at the Middletown Centre for the Developmentally Handicapped, located at the corner of Main Street and Water Street in downtown Middletown. ORC is considering this expansion to provide on-site recreational opportunities for residents of the Centre, who must currently travel by bus to off-site facilities.

This project is being assessed as a Category C, in accordance with the requirements of the MBS Class Environmental Assessment for Realty Activities. As part of the Class EA process, an Environmental Study Report will be available for public review. A further public notice will published at that time.

ORC wishes to incorporate the views of interested citizens in the development of the Environmental Study Report for this project. Open houses will be held at two key points in the study process to provide an opportunity for members of the public to review information and discuss the project with study representatives. Notices of times and dates for these open houses will be advertised.

If you wish to be involved in this study or receive further information, please contact:

Project Manager
Ontario Realty Corporation
Project Management Branch
123 Main Street
Middletown, Ontario
A1B 2C3
Tel. (123) 456-7890
Fax (123) 456-7890

Item 4a: Sample Notification Form

SECOND MANDATORY CONTACT - CATEGORY C
ONTARIO REALTY CORPORATION
ADDITION OF RECREATION FACILITY AT THE MIDDLETOWN CENTRE FOR DEVELOPMENTALLY HANDICAPPED
CLASS ENVIRONMENTAL ASSESSMENT
NOTICE OF OPEN HOUSE

Dear _________,

Ontario Realty Corporation (ORC) is conducting a study regarding the possible addition of a recreation facility at the Middletown Centre for the Developmentally Handicapped, located at the corner of Main Street and Water Street in downtown Middletown. The project is being assessed as a Category C, in accordance with the requirements of the MBS Class Environmental Assessment for Realty Activities.

As part of the Class EA process, ORC is currently preparing an Environmental Study Report. Input from members of the public is very important in assessing this project.

This letter is to inform you that an open house will be held at the following location to provide an opportunity for interested individuals and organizations to review information and discuss the project with study representatives:

Middletown Public School
Resource Library
45 Water Street
Middletown, Ontario

The open house will be held on November 27 between the hours of 3:00 - 5:30 PM and 7:00 - 9:00 PM.

You or a representative of your organization are cordially invited to attend this open house. Should you require any further information about the open house or study process, please do not hesitate to contact the undersigned.

Yours Sincerely,

Project Manager
Ontario Realty Corporation
Tel. (123) 456-7890
Fax. (123) 456-7890

Item 4b: Sample Announcement

ONTARIO REALTY CORPORATION
ADDITION OF RECREATIONAL FACILITY AT THE MIDDLETOWN CENTRE FOR DEVELOPMENTALLY HANDICAPPED
CLASS ENVIRONMENTAL ASSESSMENT
NOTICE OF OPEN HOUSE

Ontario Realty Corporation (ORC) is currently conducting a study regarding the possible addition of a recreation facility at the Middletown Centre for the Developmentally Handicapped, located at the corner of Main Street and Water Street in downtown Middletown. This project is being assessed as a Category C, in accordance with the requirements of the MBS Class Environmental Assessment for Realty Activities.

As part of the Class EA process, ORC is preparing an Environmental Study Report, which will examine the potential impacts resulting from the proposed project, as well as proposed mitigation measures. Input from members of the public is very important in assessing this project. Interested persons and groups are encouraged to attend an open house at the following location to review information and discuss the project with study representatives:

Middletown Public School
Resource Library
45 Water Street
Middletown, Ontario

The open house will be held on November 27 between the hours of 3:00 - 5:30 PM and 7:00 - 9:00 PM.

For further information, please contact:

Project Manager
Ontario Realty Corporation
Project Management Branch
123 Main Street
Middletown, Ontario
A1B 2C3

Tel. (123) 456-7890
Fax. (123) 456-7890

Item 5a: Sample Notification Form

THIRD MANDATORY CONTACT - CATEGORY C
ONTARIO REALTY CORPORATION

ADDITION OF RECREATION FACILITY AT THE MIDDLETOWN CENTRE FOR DEVELOPMENTALLY HANDICAPPED

CLASS ENVIRONMENTAL ASSESSMENT
NOTICE OF OPEN HOUSE

Dear ______,

Ontario Realty Corporation (ORC) is currently conducting a study regarding the possible addition of a recreation facility at the Middletown Centre for the Developmentally Handicapped, located at the corner of Main Street and Water Street in downtown Middletown. This project is being assessed as a Category C, in accordance with the requirements of the MBS Class Environmental Assessment for Realty Activities.

Subject to the outcome of the study and public review, ORC is currently proposing the addition of a 5,000 square foot recreation complex at the rear of the Centre. The proposed facility would include a gymnasium, therapeutic pool, and change rooms.

This letter is to inform you that ORC will be holding a second public meeting at the following location to present details of the proposed project and obtain feedback from members of the public:

Middletown City Hall
Meeting Room B
28 George Street
Middletown, Ontario

The public meeting will be held on February 8 between the hours of 7:00 - 9:00 PM.

You or a representative of your organization are cordially invited to attend this public meeting. Should you require any further information about this meeting or the study process, please do not hesitate to contact the undersigned.

Yours Sincerely,

Project Manager
Ontario Realty Corporation
Tel. (123) 456-7890
Fax. (123) 456-7890

Item 5b: Sample Announcement

ONTARIO REALTY CORPORATION

ADDITION OF RECREATION FACILITY AT THE MIDDLETOWN CENTRE FOR DEVELOPMENTALLY HANDICAPPED

CLASS ENVIRONMENTAL ASSESSMENT
NOTICE OF PUBLIC MEETING

Ontario Realty Corporation (ORC) is currently conducting a study regarding the possible addition of a recreation facility at the Middletown Centre for the Developmentally Handicapped, located at the corner of Main Street and Water Street in downtown Middletown. This project is being assessed as a Category C, in accordance with the requirements of the MBS Class Environmental Assessment for Realty Activities

Subject to the outcome of the study and public review, ORC is currently proposing the addition of a 5,000 square foot recreation complex at the rear of the Centre. The proposed facility would include a gymnasium, therapeutic pool, and change rooms.

Input from members of the public is very important in assessing the project. Interested persons and groups are encouraged to attend a second public meeting at the following location to hear a presentation on the proposed project and provide feedback to study representatives:

Middletown City Hall
Meeting Room B
28 George Street
Middletown, Ontario

The public meeting will be held on February 8 between the hours of 7:00 - 9:00 PM.

For further information please contact:

Project Manager
Ontario Realty Corporation
Project Management Branch
123 Main Street
Middletown, Ontario
A1B 2C3
Tel. (123) 456-7890
Fax. (123) 456-7890

Item 6a:

ONTARIO REALTY CORPORATION

ADDITION OF RECREATION FACILITY AT THE MIDDLETOWN CENTRE FOR DEVELOPMENTALLY HANDICAPPED

CLASS ENVIRONMENTAL ASSESSMENT
NOTICE OF COMPLETION OF ESR - CATEGORY C

Dear ________,

Ontario Realty Corporation (ORC) has now completed the Environmental Study Report (ESR) regarding the addition of a recreation facility at the Middletown Centre for the Developmentally Handicapped, located at the corner of Main Street and Water Street in downtown Middletown. This project has been assessed as a Category C, in accordance with the requirements of the MBS Class Environmental Assessment for Realty Activities.

As described in the ESR, ORC is proposing the addition of a 5,000 square foot recreation complex at the rear of the Middletown Centre. The proposed facility would include a gymnasium, therapeutic pool, and change rooms. The estimated cost of the addition is $750,000, and construction is scheduled to begin in 2002.

This letter is to inform you that the ESR is available for review at the following locations:

ORC District Office
1340 Elm Street
Middletown, Ontario
Mon-Fri: 8:30 AM - 4:30 PM
Tel. (123) 456-7890
Tel: (123) 456-7890

Middletown Public Library
90 Water Street
Middletown, Ontario
Mon-Fri: 9:00 AM - 9:00 PM
Sat-Sun: 10:00 AM - 3:00 PM

Subject to comments received during the review period and the receipt of necessary approvals, ORC intends to proceed with the construction of this project.

Interested persons may provide written comment to , Project Manager, ORC, 123 Main Street, Middletown, Ontario, A1B 2C3, telephone (123) 456-7890, within 30 calendar days from the date of this Notice. A person may request that the Minister of the Environment make an order for the project to comply with Part II of the *Environmental Assessment Act* (referred to as a Part II Order), which addresses individual environmental assessments. Requests must be received by the Minister at the address below within 30 days from the date of this notice. A copy of this report must also be sent to the project manager.

If no request is received by - insert date -, the addition of the recreation facility at the Middletown Centre will proceed to construction, as outlined in the Environmental Study Report.

Minister of the Environment
135 St. Clair Avenue West, 12th Floor
Toronto, Ontario M4V 1P5

This Notice issued January 3, 2003.

Thank you for your interest in this ORC undertaking.

Sincerely

Project Manager
Ontario Realty Corporation

Tel. (123) 456-7890
Fax. (123) 456-7890

Item 6b: Sample Announcement

ONTARIO REALTY CORPORATION
ADDITION OF RECREATION FACILITY AT THE MIDDLETOWN CENTRE FOR DEVELOPMENTALLY HANDICAPPED
CLASS ENVIRONMENTAL ASSESSMENT
NOTICE OF COMPLETION OF ENVIRONMENTAL STUDY REPORT

Ontario Realty Corporation (ORC) has now completed the Environmental Study Report (ESR) regarding the addition of a recreation facility at the Middletown Centre for the Developmentally Handicapped, located at the corner of Main Street and Water Street in downtown Middletown. This project has been assessed as a Category C, in accordance with the requirements of the MBS Class Environmental Assessment for Realty Activities.

As described in the ESR, ORC is proposing the addition of a 5,000 square foot recreation complex at the rear of the Middletown Centre. The proposed facility would include a gymnasium, therapeutic pool, and change rooms. The estimated cost of the addition is $750,000, and construction is scheduled to begin in 2002.

The ESR is available for review at the following locations:

ORC District Office
1340 Elm Street
Middletown, Ontario
Mon-Fri: 8:30 AM - 4:30 PM
Tel. (123) 456-7890
Tel. (123) 456-7890

Middletown Public Library
90 Water Street
Middletown, Ontario
Mon-Fri: 9:00 AM - 9:00 PM
Sat-Sun: 10:00 AM - 3:00 PM

Subject to comments received as a result of this Notice and the receipt of necessary approvals, ORC intends to proceed with the construction of this project.

Interested persons may provide written comment to , Project Manager, ORC, 123 Main Street, Middletown, Ontario, A1C 2B3, telephone (123) 456-7890, within 30 calendar days from the date of this Notice. A person may request that the Minister of the Environment make an order for the project to comply with Part II of the *Environmental Assessment Act* (referred to as a Part II Order), which addresses individual environmental assessments. Requests must be received by the Minister at the address below within 30 days from the date of this notice. A copy of this request must also be sent to the project manager.

If no request is received by - *insert date* -, the addition o the recreation facility at the Middletown Centre will proceed to construction, as outlined in the Environmental Study Report.

Minister of the Environment
135 St. Clair Avenue West, 12th Floor
Toronto, Ontario
M4V 1P5

This Notice issued January 3, 2003.

ITEM 8:
SAMPLE COVERING MEMO TO ENVIRONMENTAL ASSESSMENT AND APPROVALS BRANCH

TO: Manager
Project Coordination Section
Ministry of the Environment
Environmental Assessment and Approvals Branch
2 St. Clair Avenue West, Floor 12A
Toronto, Ontario
M4V 1L5

TO: Regional MOE Office

FROM: [Name of Proponent]
[Address]
[Study Contact]
[phone]
[fax]

RE: Name and Location of Project

DATE:

The above-noted project has been carried out in accordance with the Management Board Secretariat (MBS) Class Environmental Assessment. Please find enclosed a copy of the following for your files:

- Notice of Completion (Category B Project)
- Notice of Completion of Environmental Study Report (Category C Project)
- Notice of Filing of Addendum

ITEM 8

PROCEDURE FOR THE APPLICATION OF CLIENT MINISTRY OR AGENCY'S CLASS EA OR DECLARATION ORDER

This form is to be completed for all Category B and C undertakings, for which a client ministry/agency's Class EA/Declaration Order will be or has been used to assess the undertaking. In cases where a client ministry/agency wishes to apply their own Class EA/Declaration Order to an undertaking, ORC remains responsible for ensuring that it's activities are completed consistently with the client ministry/agency's Class EA.

Part I of this form should be completed prior to completing the Class EA/Declaration Order for the undertaking. Part II of this form should be completed after the Class EA/Declaration Order has been completed.

Part I - PRE-CLASS EA/DECLARATION ORDER

1. Does your ministry/agency's Class EA/Declaration Order cover the proposed undertaking?
    - Yes
    - No

    If no, the MBS Class EA must be used to assess the undertaking.

2. If yes, please provide copies of relevant provisions in the Class EA/Declaration Order that support this position. Alternatively, please list the relevant provisions below.
    - Relevant provisions attached
    - Relevant provisions listed below

    Provisions:

3. Do you intend to carry out the Class EA/Declaration Order process or do you wish ORC to do so?
    - Intend to carry out Class EA/Declaration Order process
    - ORC to carry out Class EA/Declaration Order process

PART II - POST CLASS EA/DECLARATION ORDER

1. Have the Class EA/Declaration Order requirements been met for this undertaking?
   • Yes • No

2. Are there any conditions attached to the Class EA/Declaration Order approvals for this undertaking?
   • Yes • No

3. If there are any conditions attached to the Class EA/Declaration Order approvals, please provide conditions.
   - Conditions attached
   - Conditions listed below

   Conditions:

4. Have all of the conditions attached to the Class EA/Declaration Order approvals been fulfilled?
   • Yes • No

5. If no, specify which conditions have not been met.

6. Please specify how and when these conditions will be met.

If there are conditions which cannot be met or if ORC is unable to obtain written confirmation that the client ministry/agency's Class EA/Declaration Order has been met, the client ministry/agency will have to resolve the outstanding issues before ORC can proceed with the undertaking.

Part I Completed By:
Name:
Client Ministry/Agency:
Address:
Phone:
Fax:
E-Mail:
Date Completed:

Copy sent to ORC: • Yes • No

Part II Completed By:
Name:
Client Ministry/Agency:
Address:
Phone:
Fax:

E-Mail:

Date Completed:

Copy sent to ORC: • Yes • No

APPENDIX 5

ALTERNATIVES TO THE UNDERTAKING
AND
ALTERNATIVE METHODS
OF CARRYING OUT THE UNDERTAKING

Item 1: ALTERNATIVES TO THE UNDERTAKING (FROM SECTION 3, STEP C-7D)

"maintain status quo"
Consideration of this alternative is mandatory, even though the "status quo" alternative will rarely solve the identified problem or need. Its purpose is to provide a realistic baseline for the assessment of net benefits in environmental effects associated with each alternative.

"improve existing facility"
This alternative can involve a space and function analysis to see if the existing accommodation could be used more efficiently, such as renovations to convert an office plan to an open space plan, and alterations, renovations and retrofit to remove the deficiencies giving rise to the undertaking.

"deal with problem at source"
An example of this would be to expand an existing facility, rather than to build a new one. It may be possible to add to a building vertically (add a new floor), or horizontally (add a wing). Another possibility is to demolish an outdated facility, and replace it, in-situ, with a new one. In the case of heritage property, additional facilities could be acquired by renovating or reconstructing former out buildings.

"lease, exchange or reuse"
There are a number of alternatives which can provide a new facility, without new construction. These can include: leasing available space from the private sector; searching the MBS real property and lease portfolio to see if any suitable government building or lease is about to become vacant; or making a search to see if an exchange can be arranged with another government agency which is outgrowing its present accommodation, etc.

"lease-purchase"
Commission a lease-purchase arrangement with the private sector for a new facility. This will not lessen any of MBS' EA responsibilities, but may bring a new range of properties and building options into consideration.

"build new facility"
This alternative involves construction of a new facility. Within this alternative, there may be a number of program variations to consider, such as: build one large regional facility, as opposed to several smaller branch offices; build part now, and part later, etc.

Item 2: The site planning factors in alternative methods of carrying out ORC undertakings are:

"candidate site options"
In many ORC undertakings there will be a choice of sites. ORC will ordinarily search through its own land portfolio for candidate sites, before it considers any new purchases in the real estate market. For undertakings without any proposed site, examining a range of alternative sites will be necessary. However, even when there is a proposed site, alternative site options should be considered, when there are early indications that the proposed site may require a substantial amount of mitigation. Managers are encourage to look at heritage properties when they are looking for properties with special requirements.

"land use options"
In some ORC undertakings, particularly subdivision and redevelopment, there may be a wide variety of alternative land uses (residential, commercial, industrial, institutional, agricultural, open space and recreational), giving rise to potential compatibility issues. A typical example of such a conflict would be the impact of residential development (humans, pets, and private vehicles) on farmland. Another example would be the impact of development on an area of high archaeological potential.

"density"
Similarly, for subdivision and redevelopment, there may be a wide variety of density choices (high, medium, low or mixed). These can have a major effect on the environment in terms of impacts upon the surrounding infrastructure (capacity of water, sewer, drainage, transit and road systems) and social services (capacity of schools, health care facilities, community facilities and social agencies); and impacts on heritage and the natural environment (for example, capacity for on-site disposal in unsewered areas, changes in permeability due to buildings and paving, susceptibility of ESAs to disturbance by humans and pets, etc.).

"building types and massing"
Choice of building type may have a significant effect on environmental impact, both physically, in terms of "footprint" (i.e. how much of the site is left in open space), and also in visual terms. Options can include: high rise, medium rise and low rise; tower, tower and podium, slab, stepped, and courtyard, etc., and their combinations. Visual impact, and shadows cast, may be of particular significance to sites adjacent to heritage features, and in other sensitive siting situations where visual intrusion or interruption of sunlight may be controversial issues. "Footprint" may affect the ability to avoid ESAs, heritage features, permeability, existing vegetation, etc.

"circulation and parking approach"
Site circulation can become an important environmental factor when dealing with a large site or a subdivision. Access alternatives can include vehicular, pedestrian, transit and bicycle modes and their interrelationship, and linkages and continuity with external circulation systems. These in turn can affect safety and traffic congestion both within and beyond the site. Parking options may involve alternative parking ratios, with implications on modal split and open space; and alternative parking modes including at-grade, below-grade, or multistory, with impacts on open space, permeability and visual impact, etc.

"landscaping and siting approach"
Alternatives can include natural or exotic vegetation, formal or informal planting arrangement, open or closed vistas, etc. Grading can follow the natural contours, or have a more formal appearance. Overall, there can be an attempt to conform to the existing landscape and terrain, or to change them. It will usually be considered desirable to integrate ESAs, heritage relationships and features, woodlots and steep slopes into the site plan, however, whether the approach is to encourage physical and visual access, or discourage it, will depend upon the sensitivity of the feature and anticipated degree of use. Siting alternatives can include one large building or several smaller ones, location near the street or away from it, location of parking in front of the building or behind it, etc.

APPENDIX 6

CATEGORY C: ENVIRONMENTAL STUDY REPORT FORMAT

CATEGORY C: ENVIRONMENTAL STUDY REPORT FORMAT

Category C: Environmental Study Report (ESR)

Format

Category C requires the preparation of a standardized document called an "Environmental Study Report" (ESR). The ESR should contain any necessary supporting appendices. The basic outline of the ESR is as follows:

TABLE OF CONTENTS

SUMMARY
1. INTRODUCTION AND BACKGROUND
2. APPROACH AND METHODOLOGY
3. EXISTING CONDITIONS
4. ALTERNATIVES AND EVALUATION
5. PREFERRED APPROACH/UNDERTAKING

APPENDICES

While it is not necessary for every Class EA to have the same level of detail and emphasis in each of the above chapters, it is important to adhere to the basic format and address the key points under each heading.

The Outline which follows is a guide to the essential components of an ESR, its content, issues that review agencies will be looking for, and the features which make an ESR a technically sound document.

ENVIRONMENTAL STUDY REPORT: OUTLINE

SUMMARY

The summary is a one page abstract of the entire assessment, highlighting need, alternatives, consultation process, preferred alternative, potential impacts, mitigation measures and monitoring plan, and any unusual conditions.

CHAPTER 1

INTRODUCTION AND BACKGROUND

This chapter explains the purpose of the ESR and defines the undertaking.

1.1 Purpose of the ESR

- Significance in terms of the *Environmental Assessment Act*.
- Rationale and justification for decision to proceed with the undertaking.
- Statement that the Class EA has itself been subjected to an individual EA process, including a complete public consultation program.
- Statement that in addition to the requirements of the *Environmental Assessment Act*, the undertaking must comply with all other applicable federal, provincial and municipal statutory requirements.
- Submission requirements, review period and process for filing objections.
- Summary description of the physical and administrative boundaries, as well as the spatial and temporal boundaries of the undertaking.

1.2 General Description of the Undertaking

- A map of the study area.
- Identification of the specific problem and purpose.
- Description and characteristics of the preferred solution, and statement that it has been subjected to an ESR process, including a complete public consultation program.

1.3 Related Studies

- Previous financial, operational, and planning studies relating to the undertaking or the area in which it is to be implemented.
- Any other EA documents which were used in the assessment, including specific page or section references where applicable.

1.4 Assessment and Implementation Schedule

- Time frame for the completion of the ESR.
- Schedule for public participation and consultation.
- Schedule for proposed implementation of work.

CHAPTER 2

APPROACH AND METHODOLOGY

This chapter provides a description of how and where the necessary data were collected, the technical approach to the work, the study team organization, and the consultation program and parties consulted.

2.1 Approach to the Assessment

- Boundaries of the assessment.
- Data collection and timing; data analysis; evaluation of impacts; and integration of consultation input.

2.2 Assessment Team

- Proponent in charge of the undertaking.
- Proponent team in charge of the assessment and implementation of the undertaking.
- Consultants and sub-consultants.
- Special advisors.

2.3 Internal Participation

- Other MBS divisions, departments, regional offices and district offices that participated in the process.
- Nature and extent of their participation, and their comments, issues and concerns.

2.4 Agency Participation

- Federal departments, provincial ministries and agencies; federal, provincial and local elected officials; and other technical staff.
- Nature and extent of their participation, and their comments, issues and concerns.

2.5 Public Consultation

- Consultation program, number of sessions and dates.
- Parties invited and notification approach (how stakeholders were identified).
- Number of participants per session.
- Nature and extent of their participation and their comments, issues and concerns.
- Approach to use of consultation input.

CHAPTER 3

EXISTING CONDITIONS

This chapter provides a description of the existing conditions for the natural, socio-economic and man-made components of the environment within the boundaries established for the assessment.

3.1 Assessment Boundaries

- Description of and rationale for the geographic and administrative boundaries as well as the spatial and temporal boundaries of the assessment.

3.2 Natural Environment

- Soils, vegetation, water resources, floodplains, wetlands, steep slopes, ravines, wildlife, aquatic life; ESAs and habitat in terms of quantity, quality and sensitivity to disturbance, including present level of disturbance; and contamination of natural systems (air, water, and soil).

3.3 Socio-economic Environment

- Existing land uses, official plan land use designations, and proposed future land uses; specialty croplands and prime agricultural lands (Classes 1-4) (unless designated for development in an official plan); cultural heritage resources; and economic relationships between the site/undertaking and the surrounding area, such as agriculture, tourism and recreation, etc.

3.4 Cultural Heritage

- Existing heritage recognition including designation as an MBS Heritage Property, registration as an archaeological site, heritage easements, designation under the *Ontario Heritage Act* or federal legislation, and /or informal recognition as an historic or sacred site. In the case of MBS Heritage Properties and many other types of heritage sites, the qualities of the property embodying its unique heritage value will be described in its Heritage Character Statement. The features, relationships and conditions described by the Heritage Character Statement constitute a statement of what must be supported. In situations where a Heritage Character Statement does not exist, the qualities of the property that require protection must be defined (before proceeding) on the basis of the significance for which it has received heritage recognition.

3.5 Built and Visual Environment

- Engineering and infrastructure conditions relevant to the undertaking, such as existing and planned water, sewer and drainage, locations and capacity; transportation and transit network, traffic volumes and capacities. Where applicable, feasibility of on-site sewage disposal and access to an adequate supply of potable water.
- Any contamination of buildings, grounds and facilities, old landfills, spoils heaps, etc.
- Urban design built form such as subdivision pattern, massing, heights, densities, setbacks, and state of repair. Visual characteristics such as visual identity, visual features, architectural styles and materials, natural landscape features, and viewpoints and vistas.
- Background noise level where noise may be a concern.

CHAPTER 4

ALTERNATIVES AND THEIR EVALUATION

This chapter provides a description of the alternatives to the undertaking and the alternative methods of carrying out the undertaking, the evaluation methodology, and the outcome in terms of the preferred alternatives.

Due to the nature of the activities of the ORC, as described in Section 1.2 of the Class EA, the assessment of alternatives to an undertaking is not in most cases an option to be examined under the Class EA process. Often the assessment of alternatives has taken place within another planning framework or policy process. In those cases where the assessment of alternatives is not to be addressed under the Class EA methodology, the ORC will identify the planning and approvals process that was used prior to requesting that the ORC proceed with the environmental assessment of the identified undertaking. This will be identified on the ESR. A brief discussion of the rational for the project should be included.

4.1 Alternatives to the Undertaking

- Alternatives to the undertaking , as well as their advantages and disadvantages in terms of solving the problem or addressing the purpose.
- Effects of the alternatives on the natural, socio-economic, and built and visual environments.
- Rationale for the evaluation and selection of the preferred alternative, including the integration of public input.
- Preferred undertaking.

4.2 Alternative Methods of Carrying Out the Undertaking

- Alternative methods of carrying out the undertaking as well as their advantages and disadvantages in terms of solving the problem or addressing the purpose.
- Effects of the alternative methods on the natural, socio-economic, built and visual environment.
- Construction alternatives, if relevant, in terms of staging, interim servicing, construction methods and timing.
- Rationale for evaluation and selection of the preferred alternative, including the integration of public input.
- Selected method/design and construction for the preferred undertaking.

4.3 Review of Identified Concerns

- Summary of issues and concerns raised by the public, federal and provincial agencies, local agencies, and elected officials which were considered in the selection of the preferred undertaking, and the steps taken to address these issues and concerns.

CHAPTER 5

THE UNDERTAKING

The purpose of this chapter is to describe the selected undertaking in detail, its impacts, mitigation measures, potential rehabilitation opportunities and monitoring, as well as to provide the specific details of implementation. If there is to be an Environmental Management Plan (EMP) (for contents see Glossary), it may be documented within the sections below, or if too lengthy, incorporated within the appendix or presented as a separate document.

5.1 The Undertaking

Proposed design and methods for achieving the undertaking including plans, site requirements, system components, and staging, etc.

5.2 Existing Conditions

Detailed description of the natural, socio-economic and built environments which may be affected by the proposed undertaking.

5.3 Potential Environmental Impacts and Mitigation Measures

- Specific development or construction activities required to carry out the undertaking such as demolition, excavation, tree removal, grading, blasting, temporary displacement, de-watering, and stockpiling; and for the operation of the facility, waste production, traffic, sewage, etc.
- Potential direct and indirect, and positive and negative environmental changes associated with these activities.
- Mitigative measures to be applied, including timing and duration.
- Proposed rehabilitation and enhancement actions, or uninhibited potential for future rehabilitation and enhancement.
- Environmental Management Plan if required (See Section 7.3).
- Cultural Heritage Management Plan (CHMP) (See Section 7.4).

5.4 Net Environmental Effects

Resulting net effects of the undertaking, presented in terms of construction and operational period.

5.5 Monitoring

Depending on the sensitivity of the undertaking, the extent of proposed mitigation measures and commitments to undertake specific actions, a monitoring program may have to be initiated. The monitoring program will address both compliance and effects monitoring, and their timing and duration. Monitoring programs should be developed for heritage impacts, as well as biophysical and social impacts, as required.

For details on the approach, contents and required documentation of a monitoring program, see Section 7.2 of the Class EA document.

APPENDICES

Appendices may include maps, plans, special studies, evaluation tables, submissions by public groups and individuals, and lists of applicable legislation, policies and guidelines. If there is to be an EMP and this is too lengthy to be included in the text, it can be attached as an appendix or separate report.

SUBMISSION REQUIREMENTS

When the documentation is complete, a notice of ESR Completion and Review must be advertised, and the ESR and any related addenda placed in the public record for a 30 calender day review period, and filed with the MOE Environmental Assessment and Approvals Branch and appropriate MOE regional office. The public record should be kept in the same geographical area as the proposed undertaking. Specific locations might include the ORC regional office, local client agency offices, local municipal offices, or local library, etc.

After the 30 day review period there will be either: no objections; some objections; or a request for a Part II Order. If there are no objections, the implementation of the project can proceed. If there are objections, it is the responsibility of the proponent to contact the objector and resolve the issue as quickly as possible.

If agreement cannot be reached within 15 days of the date of receipt of the objection, the issue will be referred to the Ministry of the Environment for a decision. If a request for a Part II Order is made, ORC should contact MOE immediately for consultation and direction (see Section 9.3).

REVISIONS AND ADDENDA TO THE ESR

In some cases, due to unplanned events and delays, or the need for modifications (see Step C-15 in Section 3), it may be impossible to carry out an undertaking as defined in the ESR. Any resulting design changes must be assessed by the proponent and the findings submitted as an "Addendum to the ESR". The Addendum must include justification for these changes, their implications, and any new mitigation measures. The procedure for submitting an Addendum for public review is as follows:

- the public must be notified that an Addendum is being submitted. The notice should be published/distributed in the same manner(s) and location(s) as the original notices, and include an explanation of the process and of the right to request a Part II Order;
- the Addendum must be placed on the public record in the same location(s) as the original ESR, and copies filed with the MOE Environmental Assessment and Approvals Branch, and distributed to all members of the public and review agencies participating in the assessment;
- All comments subsequently received from these parties must be incorporated, as appropriate, into the addendum document.

APPENDIX 7

EMERGENCY SITUATIONS

EMERGENCY SITUATIONS

From time to time, MBS may be called upon by the Government to assist other agencies in taking emergency measures to avoid:

- danger to the health or safety of any person;
- impairment to the quality of the natural environment;
- injury or damage to any property, plant or animal life.

Examples of such emergencies would include gas leaks in buildings, tire fires, removal of radioactive soil, removal of asbestos insulation, infrastructure failures, etc. After the emergency situation has been stabilized, MBS may also be asked to participate in longer-term measures to prevent reoccurrence, and to rehabilitate damages and environmental impacts.

In the majority of cases, another ministry is the lead agency, and MBS participation is limited to specific services, which are frequently only a part of the total effort. In cases such as these, the lead agency is considered the proponent, and MBS will assume that any emergency powers and approvals granted to the proponent apply equally to MBS participation.

Occasionally, however, MBS may be the lead agency in an emergency situation. In such instances, MBS and MOE will determine a suitable course of action, and the necessary measures will be taken immediately. It will be the responsibility of MBS, to the extent possible, as dictated by the emergency situation, to notify the affected members of the public and affected government agencies including the nearest regional office of MOE and the Environmental Assessment Branch, that emergency measures are about to be undertaken. After the emergency situation has been resolved, MBS will notify MOE and the Environmental Assessment and Approval Branch, within 15 days, of the:

- location and nature of the emergency;
- action taken to resolve the emergency;
- effectiveness of the action taken (stop-gap, longer-term, permanent, etc.);
- anticipated remedial works still required, if any;
- description of the physical, natural, social, cultural and economic effects of the emergency; and
- any mitigating measures that it was possible to implement.

The nature of the emergency measures could be such that their effectiveness is of short duration, and a longer-term solution must be undertaken. Alternately, the emergency measures may have permanently resolved the emergency, but significant damage from the emergency may still remain, and require clean-up or rehabilitation efforts. In such cases, should MBS be assigned the responsibility of implementing the longer-term measures, and these measures must be commenced immediately. Based upon discussions between the regional offices of MBS and MOE and the Environmental Assessment and Approvals Branch, a modified planning and design process may be used to meet time constraints. Where the longer-term solution is not as urgent, the planning and design process described in this Class EA will be followed.

APPENDIX 8

IDENTIFYING EXPERT FEDERAL AUTHORITIES AND POTENTIAL TRIGGERS UNDER THE *CANADIAN ENVIRONMENTAL ASSESSMENT ACT*

Table A: Identifying Expert Federal Authorities

ENVIRONMENTAL ISSUES	EXPERT FEDERAL AUTHORITY
Environmental Effects"	
(from definition of "environment" in the *Canadian Environmental Assessment Act*)	
Changes in the environment:	
general	Environment Canada
air	Environment Canada
land	Environment Canada Natural Resources Canada
wildlife	Environment Canada
fish and fish habitat	Fisheries and Oceans Canada
soil	Agriculture Canada
forest resources	Natural Resources Canada
humans	Health Canada
water	Environment Canada Fisheries and Oceans Canada Natural Resources Canada
Related changes in:	
sustainable use	Environment Canada
human health conditions	Health Canada
socio-economic conditions	Agriculture Canada Environment Canada Fisheries and Oceans Canada Health Canada Indian and Northern Affairs Canada Industry, Science and Technology Canada Natural Resources Canada
cultural resources	Canadian Heritage Indian and Northern Affairs Canada
aboriginal resource use	Indian and Northern Affairs Canada
aboriginal land use	Health Canada
historical, archaeological, paleontological and architectural resources	Canadian Heritage Natural Resources Canada Public Works Canada

ENVIRONMENTAL ISSUES	EXPERT FEDERAL AUTHORITY
management of protected areas - national parks, international/national historic sites, historic rivers and heritage canals, federal heritage properties (FHBRO), heritage railway stations, heritage conservations requirements	Canadian Heritage Parks Canada
CEAA Process and Procedures	Canadian Environmental Assessment Agency Environment Canada
International Environmental Issues	Foreign Affairs and International Trade Canada Canadian International Development Agency

Table B: Potential *Canadian Environmental Assessment Act* Triggers

Potential Project Trigger	***Provisions of Act***	**Responsible Authority**	**Comments**
A CEAA SCREENING IS TRIGGERED IF THE PROJECT:			
is being funded with federal money	CEAA s.s. 5(1)b	the funding department	*Act* is triggered where federal money is being provided (e.g., Infrastructure Program projects)
is on federal land	CEAA s.s.5(1)c	Federal department responsible for the implicated lands	this would affect projects crossing federal lands such as national parks (Canadian Heritage), Indian reserves (Department of Indian Affairs and Northern Development) or national defence bases (Department of National Defence)
is likely to affect a line or property, regulated by the NEB, that is used for the transmission of oil or gas	*National Energy Board Act*	*National Energy Board Act*	may apply to projects requiring the re-location of a pipeline that is regulated by the NEB
is likely to affect the operation of a railway company or property	National Energy Board Heritage *Railway Station Protection Act*	*Canadian Transportation Act* Transport Canada, Canadian Transportation Agency Parks Canada	generally will apply to projects where a rail line crossing is contemplated applies to identified properties
involves the temporary storage of explosives on-site	*Explosives Act*, par. 7(1)a	Natural Resources Canada	projects which involve blasting and will store the explosives on-site require a permit under the *Explosives Act*
involves the federal government in the acquisition, administration or disposal of real property for which a license for any use or occupation of real property is required	Federal Real Property Regulations, par. 4(2)a	Various - the Federal Department providing the licence	would apply to projects which propose to use or occupy federal real property
is likely to affect fish or fish habitat, affect the quantity or quality of water available for fish or result in the destruction of fish	*Fisheries Act*, s.s. 35(2)	Department of Fisheries and Oceans -Habitat Management and Enhancement	authorization is required to harmfully alter fish habitat (e.g., in the construction of stream crossings)

Potential Project Trigger	***Provisions of Act***	**Responsible Authority**	**Comments**
is likely to affect the navigability of a water body	*Navigable Waters Protection Act*, s.s. 5(1)a	Department of Fisheries and Oceans - Canadian Coast Guard	this would apply to projects potentially affecting the navigability of navigable rivers through the construction or alteration of works on, over, under, through or across a navigable waterway (e.g., bridges)
is likely to take place in, involve dredge and fill operations, draw water from or discharge to a historic canal operated by Parks Canada	I.A. and N.D. Canal Land Regulations Public Lands Licensing Order Heritage Canal Regulations	Parks Canada	potentially triggered by projects crossing the Trent Severn Waterway and Rideau Canal. The Canal Land Regulations and Public Lands Licensing Order address drainage into a canal (e.g., stormwater drains) and the Heritage Canal Regulations address dredge and fill activities
is likely to affect Indian reserve lands	*Indian Act*, s.s. 28(2), 35(1), 35(2) and 39	Department of Indian Affairs and Northern Development	would only apply to projects that are located on, or require access through, Indian reserves

APPENDIX 9

GLOSSARY OF TERMS

ACTION:

A sub-component of an undertaking. For example, actions or sub-components of the undertaking "Reconstruction" might be: leasing, letting, purchase, sale, maintenance, repair, design, construction or demolition, etc.

ACTIVITY:

A branch or departmental function, such as "Leasing and Letting" or "Design and Construction".

ALTERNATIVES TO THE UNDERTAKING:

Functionally different ways of approaching and dealing with a problem or opportunity. For example, when a client agency requires more floor space, alternatives to the undertaking may be: to re-plan the existing space more efficiently; to lease new space; to demolish the old building and erect a new one on the same site, to add a floor or a wing to the present building, or to construct a new building on a new site, etc.

ALTERNATIVE METHODS OF CARRYING OUT THE UNDERTAKING:

Different ways of doing the same activity. For example, if the preferred alternative to the undertaking is to construct a new building, then alternative methods of carrying out the undertaking might be: siting-which candidate site to select; built-form - high, medium or low rise; parking-surface, underground or multilevel; landscaping-formal or natural, etc.

AUDIT, ENVIRONMENTAL AUDIT:

The systematic evaluation of how well an environmental organization, management system, or equipment are performing.

CATEGORY: See ENVIRONMENTAL ASSESSMENT CATEGORY

CLASS ENVIRONMENTAL ASSESSMENT (CLASS EA):

A pre-approved planning and implementation process for a group or class of projects which generally have the following characteristics: recurring, similar in nature, limited in scale, a predictable range of environmental effects and responsive to standard mitigation measures. Projects covered by a class EA can be implemented without further approval under the *EA Act* provided the class EA process is followed.

CLIENT AGENCY:

A ministry, agency or municipality that uses the services of the ORC Realty Group.

COMPLIANCE MONITORING:

Monitoring for the purpose of seeing how well an undertaking, in progress, or completed, is meeting specifications and commitments defined in the Environmental Study Report or by regulation. See also MONITORING.

CONCEPTUAL PLANNING:

Planning for the purposes of feasibility studies and estimates, rather than with the intention of applying for planning approval. For example, site planning to determine a site's potential prior to embarking upon a formal design process.

CONSERVATION BODY:

A conservation body is a registered charitable organization (registered by Revenue Canada under the Income Tax Act) that has natural heritage protection as a principal objective, or one of several principle objectives.

CONTACT POINT:

A specified time during the EA process when contact, either written or verbal, must be made with the public.

CULTURAL HERITAGE MANAGEMENT PLAN (CHMP):

A site-specific report which, in the context of the Class EA, is prepared as part of the ESR process. Depending upon its length and contents, the CHMP may either be incorporated into the text of the ESR, contained within an appendix, attached as a separate report or required to be produced at a later date. A CHMP will be required if it is determined through previous studies that a proposed undertaking may potentially have an adverse effect on an MBS Heritage Property. The CHMP must provide specific guidance as to how the adverse effect will be avoided, dealing with such topics as features, qualities and relationships defining the heritage value of the property as identified in its Heritage Character Statement, the continuity of statutory protection of its heritage value, and public retention of its heritage information and site record. In addition, it must identify the party(s) responsible for carrying out and paying for mitigation and compliance monitoring, and set out documentation requirements for these activities.

CULTURAL HERITAGE PROTOCOL:

A procedure agreed between MBS and the Ministry of Citizenship, Culture and Recreation (MCzCR) concerning the development of a process for identifying and protecting cultural heritage resources affected by those MBS real property undertakings addressed in the MBS Class EA. The Protocol, which is now in effect, will apply to MBS' current EA procedures under OR 2/90 (MBS-102) until the Class EA is approved, at which time the Protocol will be continued in parallel with the functioning of the Class EA. See **HERITAGE RESOURCE, FEATURE**

CUSTODIAL FACILITIES:

Facilities where individuals must be kept under security, either for their own safety and protection or for that of the general public. These facilities are generally of a correctional, drug rehabilitation or psychiatric nature. Both size and security requirements may vary widely, depending upon the particular facility.

DIRECTLY AFFECTED AGENCIES AND PUBLIC:

Similar to the definitions of review agencies and public, but more closely oriented toward direct impacts or concerns, to include property owners adjacent to the site, the municipality(s) in which the site is located, and the mandated authorities responsible for special areas such as: ESAs (MNR); Niagara Escarpment Plan (NEC), Parkway Belt West Plan (MMAH, NEC), etc. For specific actions which are capable of affecting known or potential heritage or natural features, the list would be expanded to include NGOs or special interest groups concerned with those particular features. See **REVIEW AGENCIES, PUBLIC**

ENVIRONMENT:

"Environment" is defined broadly in the *Environmental Assessment Act* to include the physical, natural, social, cultural and man-made (or "built") components of the environment, and their interrelationships. Section 1(1) of the *EA Act* defines "environment" as:

a) air, land or water,
b) plant and animal life, including human life,
c) the social, economic and cultural conditions that influence the life of humans or a community,
d) any building, structure, machine or other device or thing made by humans,
e) any solid, liquid, gas, odour, heat, sound, vibration or radiation resulting directly or indirectly from human activities, or
f) any part or combination of the foregoing and the interrelationships between any two or more of them.

"Air" includes enclosed air. "Land" includes enclosed land, land covered by water and subsoil. "Water" means surface water and ground water, or either of them.

ENVIRONMENTAL MANAGEMENT PLAN (EMP):

A site-specific report which, in the context of the Class EA, is prepared as a part of the ESR process. Depending upon its length and contents, the EMP may either be incorporated into the text of the ESR, contained within an appendix, attached as a separate report or required to be produced at a later date. An EMP will be required if it is determined through previous studies that a proposed undertaking may potentially have an adverse effect on an ESA. The EMP must provide specific guidance as to how the adverse effect will be avoided, dealing with such topics as water quality, soil management, noise, air quality, habitat, access restriction, and cultural heritage protection, etc. In addition, it must identify the party(s) responsible for carrying out and paying for mitigation and compliance monitoring, and set out the documentation requirements for these activities.

ENVIRONMENTAL ASSESSMENT CATEGORY:

A division of undertakings, each of which will be subjected to the same environmental assessment methodology. There are four environmental planning categories in this document, each with an increasing level of detail.

ENVIRONMENTALLY SIGNIFICANT AREAS (ESAs):

ESAs are natural areas which have a significant natural resource value and/or important ecological functions, but which are susceptible to disturbance from human activities. The purpose of identifying ESAs is to achieve the objectives of the Province in terms of protecting, in perpetuity, its natural and cultural heritage; as well as maintaining certain renewable resources such as water and forests, in terms of quality, quantity and diversity. This includes protection of environmentally sensitive federal lands and facilities, such as parks and monuments.

Most of the ESAs in Ontario are designated by either the Ministry of Natural Resources, Conservation Authorities or Municipalities, and are recorded in: MNR District Land Use Plans; Conservation Authority ESA inventories; and Municipal Official Plans. These sources should be referred to, and the appropriate agencies should be consulted, if any question regarding ESAs on or near a development site should arise.

For the purposes of this document, ESAs are defined as follows:

(i) Provincially significant wetlands, as defined by MNR Regional and District offices;
(ii) Areas of Natural and Scientific Importance (ANSIs), as established by MNR Regional Offices;
(iii) ESAs designated in Official Plan under the *Planning Act*, . These designations have been identified under a variety of names including, Environmentally Sensitive Areas, Areas of Environmental Concern, and Environmental Protection Areas;
(iv) ESAs as determined by Conservation Authorities;
(v) geographic, biophysical and landscape features protected by special designation such as the Niagara Escarpment Plan, including Escarpment Natural Areas Escarpment Protection Areas and Escarpment Rural Areas;
(vi) habitats of threatened, rare and endangered species, as determined by the MNR Threatened, Rare and Endangered Species Mapping Program;
(vii) habitats of threatened, rare and endangered species, proposed by any individual or group, and confirmed as significant by an MNR District or Regional office;
(viii)groundwater recharge sites, geographic areas which permit a high rate of infiltration into saturated zones of subsurface water (aquifers), as identified in official plans;
(ix) federal lands and facilities designated as environmentally significant.

ENVIRONMENTAL STUDY REPORT (ESR):

The documentation for a specific project planned in accordance with the Category C: Environmental Study Report methodology, setting out the planning and decision making process which has been followed to arrive at the preferred solution, and the mitigation measures proposed to offset environmental impacts.

FEASIBILITY STUDIES:

Refers to testing, research, review or similar activities carried out to assist in the identification of a project, or the need for a project, etc. May include exploratory drilling, soil sampling, surveying, and similar on-site activities. Feasibility studies are not subject to the *EA Act*. Likewise, feasibility studies and other relevant activities for projects subject to this Class EA are not subject to an Individual EA.

GROUP:

A collection of undertakings with similar characteristics. Placed under a common heading, so that all can share the same description or set of possible actions.

HERITAGE CHARACTER STATEMENT:

The Heritage Character Statement is a description of the features, qualities, and relationships that embody the unique heritage value of every MBS Cultural Heritage Property, and the features, qualities and relationships of an MBS Heritage Support Property that permit it to sustain and contribute to the retention of recognized heritage value. This is a property specific document that provides a long term platform for heritage protection in all activities related to each MBS Heritage Property.

HERITAGE PROPERTY:

An MBS Heritage Property is a property that has been evaluated for its contribution to cultural heritage and identified as requiring management attention for heritage protection. MBS Heritage Property is made up of two types of property: MBS Cultural Heritage Properties which themselves are recognized to have cultural value to the people of Ontario, and MBS Heritage Support Properties which must be managed to enable protection of (other) recognized cultural resources.

HERITAGE RESOURCE, FEATURE:

Any resource or feature of archaeological, historical, cultural, spiritual or aboriginal significance. This may include buildings, monuments or grounds, or landscapes such as the Niagara Escarpment. Heritage resources and features are usually identified by federal or provincial agencies, municipalities, local architectural conservation advisory councils (LACACs) or other equivalent local heritage groups, and local and regional band councils. Some heritage resources and features are legally "designated", and can be found in official sources. Some may only be inventoried or listed, either officially, or by special interest groups. Others have never been identified, although this does not necessarily diminish their cultural significance. **SEE CULTURAL HERITAGE PROTOCOL.**

INDIVIDUAL ENVIRONMENTAL ASSESSMENT (INDIVIDUAL EA):

An environmental assessment for an undertaking which is proceeding under the full requirements of the *EA Act* including planning and consultation, submission of an EA document, review and approval.

LEASING:

The act of renting real property from another party (i.e. MBS or its client agency is the tenant; the other party is the landlord).

LETTING:

The act of renting real property to another party (i.e. MBS is the landlord; the other party is the tenant).

MITIGATION:

The act of avoiding, eliminating, offsetting or reducing to an acceptable level (as defined by established regulations, guidelines and standards), the potential adverse effects of an undertaking. Mitigation can include avoidance, change in design, methodology or some other aspect of the undertaking, or remedial activities. Mitigation can also include, rehabilitation and enhancement of existing degraded conditions.

MONITORING:

The process of observing continually, or intermittently, one or more elements or indicators of the environment, based upon pre-determined objectives, schedules and locations, etc. See also **COMPLIANCE MONITORING.**

NET EFFECTS:

Net effects are the residual impacts of an undertaking, taking into account the implementation of the proposed mitigation measures.

NON-GOVERNMENT ORGANIZATION (NGO):

In this document the term non-government organization (NGO) is used synonymously with special interest group.

PART II ORDER:

A request for a Part II Order means an order to comply with Part II of the *EA Act*. This is an appeal provision whereby a person or party with outstanding concerns may request the Minister to make an order requiring a proponent to comply with Part II of the *EA Act* (which addresses Individual EAs) before proceeding with a proposed undertaking to which the Class EA would otherwise apply.

PRELIMINARY DESIGN:

A stage of design which is sufficient for architectural or engineering evaluation, and environmental assessment, but does not include any details or schedules, etc.

PROPONENT:

The agency or government ministry which carries out or proposes to carry out an undertaking, or is the owner or party having charge, management or control of an undertaking. For undertakings in this document, ORC will ordinarily be the proponent, however in certain cases, another ministry or agency may be the proponent, with ORC only acting as an agent.

PUBLIC:

The general public, including individual members of the public who may be affected by or have an interest in an undertaking, non-government organizations (NGOs) and special interest groups, aboriginal people, municipalities and other public bodies or authorities, and the client agency.

PUBLIC RECORD:

An ongoing record of an EA which consists of the EA document itself (usually an ESR), the government review of the EA, any written submissions by the public, any decisions by either the Environmental Assessment Board or the Joint Board, or the Minister, together with written reasons for the decisions, and any notices or orders made by the Minister relating to the *EA Act*. This may include general project files which are available for public examination upon request

All such information is available to the public under the *Freedom of Information and Protection of Privacy Act*.

PUBLIC SECTOR:

Public sector refers to all government ministries and agencies, commissions, crown corporations and other, predominantly government funded organizations.

REVIEW AGENCIES:

Government agencies, ministries, public authorities or bodies whose mandates require them to have jurisdiction over matters potentially affected by undertakings planned under this Class EA, and whose function is to assess and provide comment on EA documents.

SUBGROUP:

A sub-classification of a "group", consisting of an individual undertaking type. See **GROUP, UNDERTAKING.**

UNDERTAKING:

An undertaking is defined in Section 1(1) of the *Environmental Assessment Act*, as "an enterprise or activity or a proposal, plan or program". Generally, an undertaking is the equivalent of a project. The conventional approach to undertakings, in other class EAs, is to include every aspect of a project within the definition. Due to the complexity of ORC undertakings, this document has adopted a component approach to undertakings, defining an undertaking as an "action" (or actions) applied to a "subgroup" (or subgroups). Complex projects, rather than being described as one single undertaking, are broken down into components; that is, one or more actions which may apply to one or more subgroups. This allows for the fact that many of the components of larger ORC undertakings can, in unrelated circumstances, be completely independent ORC undertakings on their own. Special provisions have been included in the Class EA document to ensures that these component undertakings cannot be subdivided in such a manner as to avoid EA responsibility. See **GROUP, SUBGROUP, ACTION**.

VISUAL ENVIRONMENT:

The visual environment is the net effect of interactions between the shape, form, color, pattern, texture, shade, shadow, location and massing, of all visible natural and man-made elements in an environment.